DOCUMENT RESUME

ED 226 522 EC 150 691

AUTHOR	Pace, R. Elwood; And Others
TITLE	Rules and Regulations for Education Programs for the Handicapped.
INSTITUTION	Utah State Office of Education, Salt Lake City.
PUB DATE	20 Nov 81
NOTE	190p.; Parts of the document have print of marginal legibility.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC08 Plus Postage.
DESCRIPTORS	Certification; Definitions; Delivery Systems; *Disabilities; Due Process; Elementary Secondary Education; Handicap Identification; Individualized Education Programs; Program Administration; *Special Education; State Aid; State Legislation; *State Standards; Student Evaluation; Student Placement
IDENTIFIERS	Utah

ABSTRACT

The manual presents Utah's rules and regulations for education programs serving handicapped students. Regulations touch upon the following topics (sample subtopics in parentheses): responsibilities of the State Office of Education (authority to make policy); child identification (child find and screening, referral, evaluation/classification process); service delivery (individualized education program, IEP contents and implementation, annual re-evaluation); administration and governance (comprehensive system of personnel development, prevalence of handicapping conditions, certification requirements); procedural safeguards (due process, least restrictive environment, confidentiality of information); and state reimbursement for handicapped program costs (administrative procedures for determining average daily membership in various service options, recovery of funds for a misclassified child). The bulk of the document is composed of nine appendixes, including definitions, criteria and procedures tests for 10 categories of disabilities; sample forms for required information; guidelines on confidentiality; and state certification endorsements for seven categories. (CL)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED226522

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)
☒ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
● Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

Rules and Regulations for Education Programs for the Handicapped

UTAH STATE OFFICE OF EDUCATION

November 20, 1981

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY
D. Carpenter
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

EC150691

RULES AND REGULATIONS

FOR

EDUCATION PROGRAMS FOR THE HANDICAPPED

UTAH STATE OFFICE OF EDUCATION

Walter D. Talbot
State Superintendent of Public Instruction

DIVISION OF PROGRAM ADMINISTRATION

Kent L. Worthington, Administrator

R. Elwood Pace	Coordinator, Special Education Programs
Benjamin B. Bruse	Specialist, Federal Programs
Geraldine M. Clark	Specialist, Intellectual Handicaps
Cyrus W. Freston	Specialist, CSPD and Learning Disabilities
H. Kenton Reavis	Specialist, Behavior Disorders
Mae M. Taylor	Specialist, Communication Disorders, Physically Handicapped and Homebound/Hospitalized
Robert W. Tegeder	Specialist, Deaf, Blind and Deaf-Blind

Salt Lake City, Utah

Adopted by the
UTAH STATE BOARD OF EDUCATION

November 20, 1981

3/18/82

UTAH STATE BOARD OF EDUCATION

AND

UTAH STATE BOARD FOR VOCATIONAL EDUCATION

BOARD MEMBERS

Jay A. Monson, Chairman
District 4
Logan 84321

Mrs. Neola Brown, Vice Chairman
District 7
Cedar City 84720

Jesse Anderson
District 4
Ogden 84401

Mrs. Lila B. Bjorklund
District 1
Salt Lake City 84103

John P. Redd
District 5
Bountiful 84010

Mrs. Joan Burnside
District 2
Magna 84044

A. Glenn Christensen
District 2
Salt Lake City 84107

Mrs. Erma J. Christensen
District 1
Salt Lake City 84105

Rodney L. Dahl
District 3
Sandy 84070

Ross B. Denham
District 7
Provo 84601

Karl Shisler
District 6
Roosevelt 84066

Walter D. Talbot, Executive Officer

LaPreal W. Lublin, Secretary

NOTE

The rules set forth in the following sections are applicable to local school districts and State operated programs, both hereinafter called "public agencies," providing education and related services for handicapped persons. These rules are also applicable to private agencies serving handicapped students with public funds.

The rules were developed in accordance with State and Federal law and regulations, and are consistent with Department of Education responsibilities. References cited to Federal Regulations are from 34 CFR part 300.

RULES AND REGULATIONS
FOR EDUCATION PROGRAMS FOR THE HANDICAPPED

TABLES OF CONTENTS

Page No.

Foreword iv

I. Responsibilities of the State Office of Education 1

A. Statement of Philosophy. 1
B. Authority to Make Policy 1
C. Policy Statement 3

II. Child Identification. 7

A. Child Find and Screening 7
B. Referral 7
C. Data Gathering and Assessment. 7
D. Evaluation/Classification Process. 8

III. Service Delivery. 11

A. Individualized Education Program 11
B. Participants in Meetings 11
C. Parent Participation 12
D. Contents of the IEP. 13
E. IEP Implementation (Placement) 13
F. Annual Re-evaluation of the IEP. 14
G. Delivery of Services Responsibility. 14
H. Private School Placement 15
I. Documentation of Attendance. 15

IV. Administration and Governance 17

A. Annual LEA Plan and Application. 17
B. Comprehensive System of Personnel Development. 17
C. Provision for Leadership 18
D. Provision for Diagnostic and Assessment Personnel. 18
E. Prevalence of Handicapping Conditions. 18
F. Maximum Pupil-Teacher Ratios for Service Patterns. 19
G. Certification Requirements 22

V. Procedural Safeguards 23

A. Due Process Procedures for Parents and Children. 23
B. Protection in Evaluation Procedures. 23
C. Least Restrictive Environment. 24
D. Confidentiality of Information 24

VI. Funding--State Reimbursement for Handicapped Program Costs. . 25

A. Allocation of State Revenues for Programs for the Handicapped. 25

TABLE OF CONTENTS (Cont'd)

Page No.

B. Administrative Procedures for Determining Average Daily Membership 28

1. Self-contained Class. 28
2. Resource Program. 28
3. Psychologists and Social Workers Providing Intervention for Behavior Disordered Students. 29
4. Fund Accrual for Initial Identification, Diagnosis, and Placement ("20-Day Rule") 30
5. Roll Book and Funding Procedures for Students Who Have 10 or More Unexcused Consecutive Absences ("10-Day Rule"). 30

C. Recovery of Funds for a Mis-classified Child 30
D. Correlation of Reports 31

TABLES

A. Conceptual Approach to the Range of Placement Options. . 16
B. Maximum Pupil-Teacher Ratio; Self-contained and Resource Services 20
C. Maximum Pupil-Teacher Ratio; Resource/Self-contained Option 21
D. Roll Book Recording Information & Funding Accrual Procedures 32
E. Roll Book Coding for Handicapping Conditions and Service Pattern. 33

FIGURES

1. A Child-centered Process for Delivering Special Educational Services 10

APPENDICES

A. Definitions by Category, Criteria, Appropriate Procedures and Tests. 35

1. Communication Disordered (Speech/Hearing/Language). 37
2. Physically Handicapped (incl. Other Health Impaired) 39
3. Specific Learning Disabled 40
4. Intellectually Handicapped. 46
5. Severe Intellectually Handicapped 47
6. Severe Multiply Handicapped 48
7. Visually Handicapped. 53
8. Hearing Impaired. 54
9. Deaf. 59
10. Behavior Disordered 64

TABLE OF CONTENTS (Cont'd)

Page No.

B. Homebound & Hospitalized Service Pattern for Handicapped Students 69
C. Sample Forms for Required Information. 73
D. Regulations Governing Placement of Eligible Handicapped Children in Private Residential Schools 105
E. Utah Special Education Law, UCA 53-18-1 through 53-18-8. 113
F. Guidelines on Confidentiality and Disclosure of Education Records of Students. 119
G. Federal Regulations on Procedural Safeguards 133
H. State Certification Endorsements 143

1. Standards Statement 145
2. Resource. 151
3. Severely Handicapped. 155
4. Communication Disorders (Speech Pathology/Audiology) 159
5. Visually Impaired 175
6. Deaf. 177
7. School Psychologist 185
8. School Social Worker. 193

I. Memorandum of Understanding. 201

FOREWORD

The Utah Special Education Laws and School Finance Law require that the State Board of Education provide standards for identifying handicapped persons, diagnosing their needs, and assisting school districts in prescribing the type of programs and services needed for each person. Careful review and programmatic implementation of these revised standards should help those responsible to bring greater quality to the excellent programs presently sponsored by local district.

Utah is a leader among her sister states in the percentage of handicapped persons receiving special education services. Nevertheless, while districts are claiming reimbursement for most of the projected target handicapped population, many being served are not properly programmed for service. Also, there are many students with special needs who fall outside of the standards for handicapped persons. Other resource programs and strategies have been established for such persons who do not meet the official standards found in these Rules and Regulations.

As educators and parents strive for a more appropriate education program for all handicapped persons through greater cooperation with General Education in a "mainstreaming" effort for the mildly handicapped, local Special Education programs should give a high priority to serving, within each category, the most severely handicapped first within funds available.

The Utah School Finance Law requires that the State Board of Education limit the number of weighted pupil units allocated to school districts and state programs for pupils who are classified as handicapped for presently established categories with prevalence limits established for each category adding to a total ADM prevalence limit of 12.18 percent.

Any claims for units in excess of the prevalence limit must have special approval of the State Office of Education. Handicapped program funds allocated to districts are restricted and shall be spent for education of the handicapped.

Walter Talbot

Walter D. Talbot
State Superintendent
of Public Instruction

RULES AND REGULATIONS
FOR
PROGRAMS FOR THE HANDICAPPED

I. RESPONSIBILITIES OF THE STATE OFFICE OF EDUCATION

A. STATEMENT OF PHILOSOPHY

The State Education Agency is committed to the principle of equal access to an appropriate education for all persons regardless of variance in their ability to participate in education experiences. Most handicapped persons cannot be guaranteed equal access to an appropriate education without special education programs and services in addition to or in place of programs and services provided for the general population.

Handicapped persons should be educated in regular classrooms and neighborhood schools, insofar as this arrangement results in progress. Frequently it will be necessary to provide special supplementary services to or in the regular classroom or to remove handicapped persons from regular settings for parts or all of their programs. It is projected that a majority of the handicapped can receive a major portion of their education experience through regular classroom provisions. The above reflects a de-emphasis of the special class approach advocated in the past. Another change will be to de-emphasize labeling and categorizing handicapped persons at the program or service level.

While the handicapped will continue to be categorized and labeled for legal, financial, and administrative purposes, every effort should be made at the service level to shift the emphasis from the handicapping condition to achieving the education and personal needs of each handicapped person. This effort requires a de-emphasis of the fact that a given individual is mentally retarded or emotionally disturbed. Instead, an assessment of individual educational and personal needs will be addressed through the vehicle of an Individualized Education Program (IEP) prepared by a team (See Rule III).

Curriculum planning for the handicapped will be consistent with State Board of Education objectives contained in Curriculum Framework for Utah Schools.

I. B. AUTHORITY TO MAKE POLICY

Authority and responsibility to make policy and set standards in the area of education of the handicapped rests with the State Board of Education by virtue of its constitutional mandate to provide general control and supervision of the public school system (Article X, Section 8) and by specific legislative enactment found in the 1953 Utah Code, Annotated: 53-18-2, 53-18-3, and 53-18-4. (See Appendix E). The statutes cited also indicate an intended partnership arrangement between the State Board of Education and local school districts. The statute also provides for general supervision of programs for handicapped children served by all public agencies and institutions concerned with the training of handicapped children.

Section 53-18-2 explicitly states:

> The state board of education shall provide proper education and training for all handicapped children in this state...
>
> The state board of education shall appoint a director of special education of handicapped children for the State of Utah. The state director of special education shall submit plans to the state board of education for establishing and maintaining supervision for the proper education and training of all handicapped children reported to the director for such special education and training...
>
> The state board of education shall adopt standards and regulations relating to the diagnosis and evaluation of the handicapped children by competent professional personnel, special instruction classes and services to be provided and other appropriate guidelines which shall be followed by the local school districts...
>
> The state director of special education shall be...responsible for coordinating all state programs for all handicapped children of pre-school or school ages to facilitate the educational progress of such children. The director shall exercise general supervision of all programs for the handicapped children of the various school districts of the state and all public agencies and institutions concerned with the training of handicapped children. The director shall encourage and assist in organizing programs for handicapped children which shall be under the immediate administration of district boards of education or of existing state educational institutions which have been authorized for this purpose. The director of special education shall work in cooperation with private agencies concerned with the training of handicapped children.

Section 53-18-3 stipulates:

> School districts maintaining special classes in the public schools, or special public schools, or providing special education for handicapped children as herein specified, shall receive reimbursement from the state board of education, so long as such classes, or such special education is approved by the state board of education as to location, constitution and size of classes, conditions of admission and discharge of pupils, equipment, courses of study, methods of instruction and qualifications of personnel, and in accordance with other regulations and standards promulgated by the state board of education from time to time...

Section 53-18-4 stipulates:

> The state superintendent of public instruction shall superintend the organization of such special programs and schools, and such other arrangements for special education, and shall enforce the provisions of this act.

I. C. POLICY STATEMENT

1. Substance

This policy, Rules and Regulations for Education Programs for the Handicapped, (Revised November 20, 1981), establishes philosophically and in policy form the Board's position on the initiation, expansion, operation and improvement of special education programs and related services for the handicapped in Utah.

2. Implications

Implications of the policy are broad based covering the content, procedures and accountability stipulations required of local school districts to receive monies appropriated by the legislature for special education and related services needed to provide a free appropriate education for all identified handicapped persons ages five through 21 who are residents of Utah school districts.

3. Cost Factors

The provision of a free appropriate education for all identified handicapped persons five through 21 years of age requires considerable excess cost monies since special education programs and related services are provided over and above costs spent for the regular student. The legislature has appropriated additional weighted pupil units to assist districts in meeting excess costs.

It is projected that most of the excess cost monies spent each year will eventually be recovered through assisting the handicapped to be more productive as adults, assisting most to be more productive taxpayers and many more to live more independently as adults and citizens thereby reducing public expense for welfare and other public costs.

History: The first policy statement was approved by the State Board of Education in 1954 in the form of Standards and Guidelines for Programs for the Handicapped. The policy has been revised periodically over the years.

On July 1, 1974, the State Board again revised the policy and adopted Rules and Regulations for Programs for the Handicapped. The policy adopted in the rule and regulation format was revised and adopted December 19, 1975; August 19, 1977; December 15, 1978; and November 20, 1981.

4. Special Education and Related Services for the Handicapped

Districts must provide special education and related services for people who are classified and identified according to one of the state handicapping conditions. Programs will be for persons falling within the following definition of handicapped:

> The handicapped person is defined as the person who deviates from the average or normal person (1) in mental characteristics, (2) in sensory abilities, (3) in neuromuscular or physical characteristics, (4) in social or emotional behavior, (5) in learning and communication abilities, or (6) in multiple handicaps to such an extent that a modification of school practices, or special educational services is required in order to achieve success in the least restrictive environment. (See Appendix A)
>
> The Utah State School Finance Law provides restricted funds for expenditures by school districts for the following categories: educable mentally retarded, trainable mentally retarded, learning disabled, emotionally handicapped, deaf and hard of hearing, speech and hearing, motor handicapped and other health impaired, visually impaired, handicapped homebound and hospitalized, severely multiple handicapped and deaf-blind (including training center programs).

Definition of Public Special Education:

> The term "special education" means specially designed instruction, at no cost to parents or guardians, to meet the unique needs of a handicapped student including classroom instruction, itinerant services, instruction in physical education, home instruction, and instruction in hospitals and institutions. (Education of the Handicapped Act, Section 602(16), page 4)

Definition of Related Services:*

> "Related services" means transportation and such developmental, corrective, and other supportive services as are required to assist a handicapped student to benefit from

---

*With the exception of physical therapy and medical services, all of the above related services are primarily the responsibility of the LEA as the lead agency, to provide as a special education service, or secure the provision of services through other appropriate agencies (See Memorandum of Understanding, Appendix I). Some of the above related services will be provided or supplemented by Social Service agencies. The LEA will not be viewed as the lead agency for the provision of medical services which include such things as therapies, including physical and psychiatric.

special education, and includes speech pathology and audiology, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services, and medical services for diagnostic or evaluation purposes. The term also includes school social work services, parent counseling and training, providing parents with information about child development, and assisting parents in understanding the special needs of their child. (34 CFR part 300)

II. CHILD IDENTIFICATION

See Figure I, A Child Centered Process for Delivering Special Education Services.

A. CHILD FIND AND SCREENING

Local districts must establish and utilize a process for identifying and referring for evaluation, each potentially handicapped person of pre-school, school-age and post-school age. For the age group 5 through 21, the districts will utilize a screening procedure.

The district shall, at least annually, conduct a public awareness campaign which will seek to:

1. Inform the community of the statutory right to a free appropriate education and the availability of special education programs and services;
2. Generate referrals; and
3. Explain the nature of handicapping conditions, the early warning signs of handicapping conditions, and the need for early intervention.

II. B. REFERRAL

Referral for evaluation follows the identification of high-risk students. Districts should have a referral channeling process to assess appropriateness of referral, and expedite the provision of necessary evaluative services. A referral form needs only to be obtained once, upon initial referral of the student.

II. C. DATA GATHERING AND ASSESSMENT

Districts must provide for gathering of information necessary for assessment and child study, as required for decision making on behalf of the potentially handicapped person.

1. Written permission for evaluation must be obtained from the parent(s) or legal guardians prior to conducting any evaluations. The district shall take whatever action is necessary to assure that the parent(s) understands the language of the Permission for Evaluation Form, and will obtain and record the primary language of the home. (See Sample Forms, Appendix C)
2. The public agency is responsible for assuring that evaluation materials and procedures are appropriate for children of all racial and ethnic groups being considered for placement in a special education program. Accordingly, where present testing and evaluation materials and procedures have an adverse impact on members of a particular race, persons of a national origin,

or sex, additional or substitute materials and procedures which do not have such an adverse impact must be employed when evaluating such students for eligibility for a special education program.

3. Tests must be selected and administered so as best to ensure that results obtained from testing a student with impaired sensory, manual, or speaking skills accurately reflect his/her aptitude or achievement levels, and not the deficit.

4. All individual-administered diagnostic/evaluation protocols and all reports must be signed with full signatures by the evaluator and contain complete dates of evaluations (month, day, and year).

5. Tests must be administered by persons trained and qualified in the procedures utilized. Students needing psychological assessment shall be examined by a person or persons certified by the district superintendent or the state board of education as a public school psychologist or psychological examiner. (See Appendix E, U.C.A. 53-18-1)

II. D. EVALUATION/CLASSIFICATION PROCESS

1. Evaluation of the student's test results must be made by a multidisciplinary team or group of people, including at least one teacher or other specialist knowledgeable in the area of the student's suspected disability. A student's eligibility for special education services is determined through the evaluation/classification process.

2. Classification of the student must be made by the multidisciplinary team or group of people. The district must classify each person to receive services as primarily handicapped according to one of the ten (10) categories stated in the school finance law in accordance with definitions, rules, and regulations approved by the State Board of Education. This classification must be justified based on information gathered in the child study process. (Parents constitute a valuable source of information concerning their child in the evaluation, diagnostic, and eligibility determination process, and should be included whenever possible.)

   No single procedure is to be used as the sole criterion for classification or determining an appropriate education for a student. For criteria for classification according to each handicapping condition, see Appendix A.

3. Re-classification

   The public agency shall conduct a formal/re-evaluation for classification for each identified handicapped person at least every three years by calendar date. The reevaluation for classification will include a complete new evaluation as if a student were being newly evaluated, as described in II.D.1.

4. Declassification (Termination from special education services) of a handicapped student must be made through a team meeting, held for reviewing or changing a student's IEP. Participants in the meeting must be the same as in the IEP requirement, including the parent(s). (See Rule III-B).

5. The placement status of the student during evaluation shall be: (a) a student being evaluated for the first time shall remain in his or her current placement during determination of eligibility for special education and related services, (b) a handicapped student previously receiving special education services, transferring from another school district or state. shall be placed with the consent of the parent in an appropriate special education program during the period of evaluation and IEP development. (See Rule III-A).

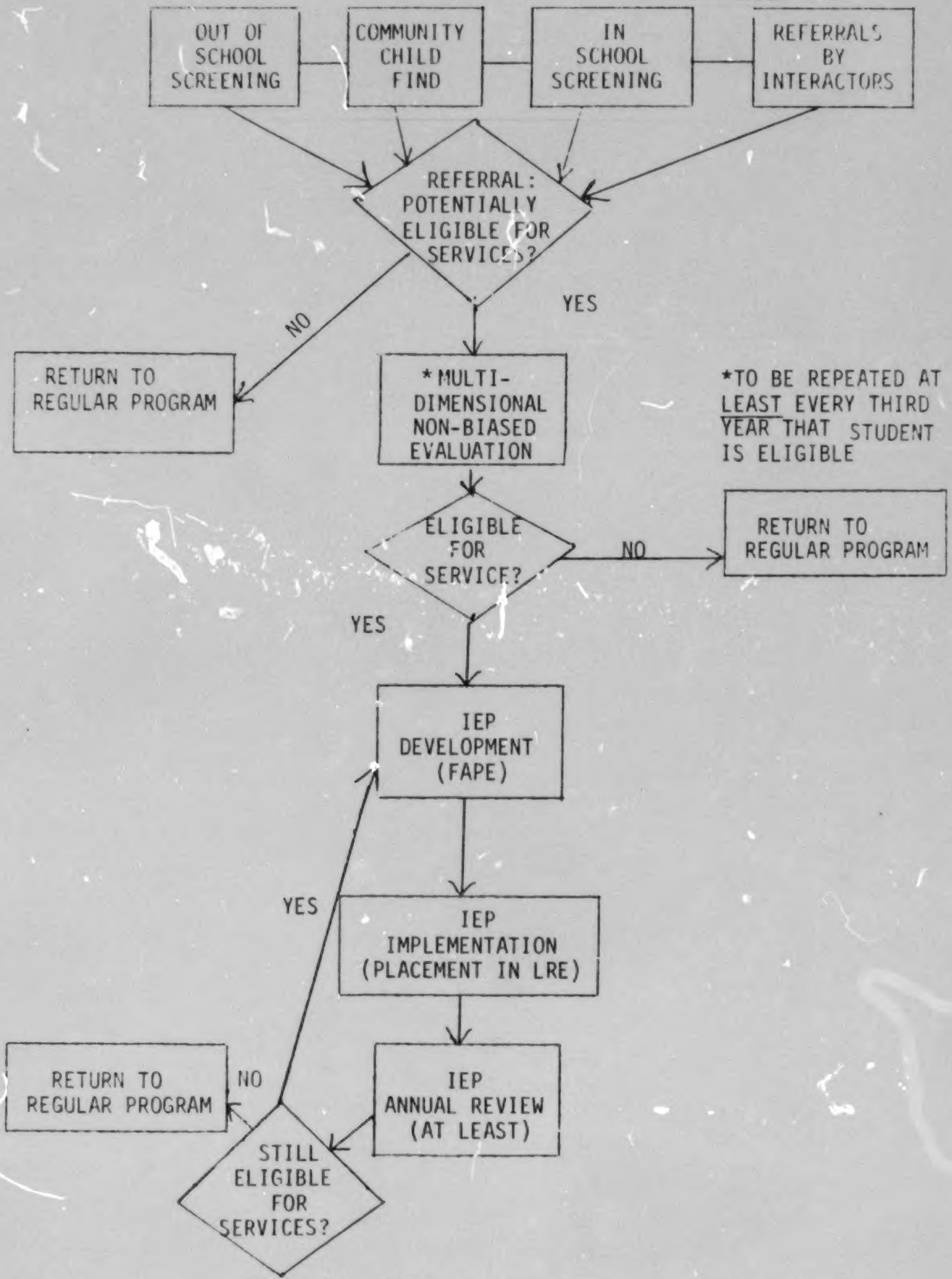
OUT OF SCHOOL SCREENING
COMMUNITY CHILD FIND
IN SCHOOL SCREENING
REFERRALS BY INTERACTORS
REFERRAL: POTENTIALLY ELIGIBLE FOR SERVICES?
NO
YES
RETURN TO REGULAR PROGRAM
*MULTI-DIMENSIONAL NON-BIASED EVALUATION
*TO BE REPEATED AT LEAST EVERY THIRD YEAR THAT STUDENT IS ELIGIBLE
ELIGIBLE FOR SERVICE?
NO
RETURN TO REGULAR PROGRAM
YES
IEP DEVELOPMENT (FAPE)
YES
IEP IMPLEMENTATION (PLACEMENT IN LRE)
RETURN TO REGULAR PROGRAM
NO
IEP ANNUAL REVIEW (AT LEAST)
STILL ELIGIBLE FOR SERVICES?

Fig. 1. Child Centered Process for Delivering Special Education Services

III. SERVICE DELIVERY

See Figure I, A Child Centered Process for Delivering Special Education Services.

A. INDIVIDUALIZED EDUCATION PROGRAM (IEP)

The IEP is a written statement (educational plan) for a handicapped student that is developed and implemented in accordance with these regulations. The IEP is a planning document agreed upon by the IEP team, and determines the student's educational placement, and must be written within 30 calendar days of the student's determination of eligibility for special education services.

NOTE: Public Law 94-142 requires that each public agency must provide special education and related services to a handicapped student in accordance with an individualized education program. However, the individualized education program is not a binding contract, in that Part B of the Act does not require that any agency, teacher, or other person will be held accountable if the student does not achieve the growth projected in the annual goals and objectives.

The Individualized Education Program will be written in a meeting of the IEP team, some or all of whom may have participated in the Evaluation/Classification process. The parent will be fully informed of the student's diagnosed handicapping condition as determined in the evaluation/classification process, by knowing the full name of the category of handicap (e.g., "Learning Disabled" rather than "L.D.")

The IEP for a handicapped student must be written and signed prior to placement and initiation of service. (See Figure 1, Child Centered Process for Delivering Special Education Services.) It is strongly encouraged that LEAs will develop Personalized Implementation Plans (or teacher lesson plans) for each student, reflecting content of the IEP. For students who have transferred into the public agency's program (See Rule II.D.5) a basic IEP must be developed, which can then be revised and expanded, following completion of evaluation.

III. B. PARTICIPANTS IN IEP MEETING

Each school district or public agency shall insure that each meeting includes the following participants:

1. A representative of the LEA, other than the student's teacher(s), who is qualified to provide, or supervise the provision of special education. The LEA representative (administrator or designee) must be authorized to commit public agency resources to the provision of special education services.

2. The student's teacher.

3. One or both of the student's parents, subject to Rule III-C.

4. The student, where appropriate.

5. Other individuals, at the discretion of the parent or agency.

6. For a handicapped student's initial IEP, the public agency shall insure:

   a. That a member of the evaluation team participates in the meeting; or

   b. That the LEA representative, the student's teacher, or some other person is present at the meeting, who is knowledgeable about the evaluation procedures used with the student and is familiar with the results of the evaluation. Either the teacher or the agency representative should be knowledgeable in the area of the student's suspected disability.

III. C. PARENT PARTICIPATION

1. Each public agency shall take steps to insure that one or both of the parents of the handicapped student are present at each IEP meeting, or are afforded the opportunity to participate, including:

   (a) Notifying parents of the meeting early enough to insure that they will have an opportunity to attend; and

   (b) Scheduling the meeting at a mutually-agreed upon time and place.

   (c) The notice in paragraph (a) must indicate the purpose, time, and location of the IEP meeting, and who will be in attendance.

2. If neither parent can attend, the agency shall use other methods to insure parent participation, including individual or conference telephone calls.

3. An IEP meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case the public agency must have a record of its attempts to arrange a mutually agreed upon time and place, such as:

   (a) Records of telephone calls made or attempted and the results of those calls;

   (b) Copies of correspondence sent to the parents and any responses received; and

   (c) Records of visits made to the parent's home or place of employment and the results of those visits.

4. The public agency shall take whatever action is necessary to insure that the parent understands the proceedings at a meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

III. D. CONTENTS OF THE IEP

The IEP for each student must include:

1. A statement of the student's present levels of educational performance, based on formal and/or informal measures;

2. A statement of annual goals, including measurable short term objectives;

3. A statement of the specific special education and related services to be provided to the student, and the extent to which the student will be able to participate in regular educational programs;

4. The projected dates for initiation of services and the anticipated duration of the services; and

5. Appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether the short term instructional objectives are being achieved.

6. Participants in the meeting will sign, and individually date with complete signatures, the IEP. Participant's role or title must be indicated.

III. E. IEP IMPLEMENTATION (Placement)

1. Written consent for the initial placement must be obtained from the parent before special education services can be provided to the student. The public agency shall take whatever action necessary to assure the parent understands the language of the Permission for Placement Form. (See Sample Forms, Appendix C). A new permission for placement form does not need to be obtained again, unless the student's program requires a significant change in placement.

2. The student must be served in the Least Restrictive Environment appropriate to his or her identified annual goals and short term objectives.

3. Placement options, as determined in the IEP, may include:

   a. Service to, or consultation with the regular classroom teachers.

   b. Service to the student within the regular classroom.

c. Resource program for services to students from two or more different handicap categories.

d. Resource program to a single handicap, including itinerant services.

e. Service in the resource/self-contained option. (See Table C)

f. Self-contained program.

g. Homebound/hospitalized program.

h. Special residential school placement.

i. Contracted services.

j. Other placement options, as determined by the IEP Team.

NOTE: See Table A, Conceptual Approach to the Range of Placement Options.

III. F. ANNUAL RE-EVALUATION OF IEP

The IEP team (See Rule III.B) will evaluate the student's IEP as needed, but not less frequently than once each year for every handicapped student being served. An IEP review may be requested by a parent. The timing of IEP meetings is left to the discretion of the agency.

III. G. DELIVERY OF SERVICES RESPONSIBILITY

1. Each district which is unable to provide a program locally because of insufficient numbers of students needing the program or lack of resources, must provide services by:

   a. Combining services with another district; or

   b. Contracting with another district, agency, or individual(s); or

   c. Serving the student at home, until a more appropriate service can be provided. (U.C.A. 53-18-2)

2. In cases where a district serves the student at home, such home placement shall be utilized only after it is determined in an IEP meeting that other placements are not appropriate to meet the student's needs. Such home placement must be reviewed at least annually by the IEP team, or as necessary, at request of parent or LEA, to determine whether it remains the most appropriate placement for the student.

3. No school-age handicapped student shall be placed in a multi-district program or a state residential program without the involvement and approval of the Local Education Agency. LEAs are not responsible for costs for a student whose placement has not been approved by the LEA.

III. H. PRIVATE SCHOOL PLACEMENT

If in the IEP process it is determined that a private residential school is the appropriate placement for an identified handicapped student, all State and Federal requirements must be met, including the regulations governing placement of identified handicapped students in private residential schools. (Appendix D)

III. I. DOCUMENTATION OF ATTENDANCE

LEAs shall require teachers serving handicapped students to keep roll books (official attendance register) and other written documentation that may be necessary to verify services rendered.

Roll books must contain the following information:

1. Entrance and exit dates for all students served;

2. Code of handicapping condition; (See Table E for codes) and

3. A recording of attendance as required in Rule VI-B and Table D.

Table A

CONCEPTUAL APPROACH TO THE RANGE OF PLACEMENT OPTIONS*

Mild

*Move only as far as Necessary

Severe

Return as soon as Possible

Mobility In or Out of Program Determined by IEP.

Regular Classroom	Service Patterns
I. Service to the identified handicapped student within the regular classroom for pupils listed on the resource teacher rollbook. In consultation with the regular teacher, intervention required in the IEP for the pupil may be delivered by: (1) the resource teacher (2) the regular teacher in consultation with the resource teachers.	Regular class enrollment Resource Program intervention within the reglar classroom. When using the resource program financial weighting, resource help is to be scheduled for ½ hour or more for each day special intervention is provided.
II. Part-time instruction or services (delivered outside the regular classroom).	Resource program intervention when provided outside the regular classroom. Resource help is to be scheduled for ½ hour or more with provision for services for up to 6 students for ½ day or more when claiming the self-contained financial weighting. This option requires reducing the resource pupil-teacher ratio according to formula of Maximum Pupil-Teacher Ratio (see Table B).
Enrollment in resource class as a self-contained student	Resource/Self-Contained Option (½ day or more)
Enrollment in special class (part-time in regular class when appropriate).	Self-Contained Class Enrollment (½ day or more)
Special day school.	Training Centers for Multiple Handicapped
Residential School	Utah Schools for the Deaf and the Blind Youth Center - State Hospital Utah State Training School
Home and Hospital	Youth Center - State Hospital Hospitals

---

* A Handicapped student must be served in the least restrictive environment that meets his/her needs.

IV. ADMINISTRATION AND GOVERNANCE

A. ANNUAL LOCAL EDUCATION AGENCY PLAN AND APPLICATION

A statement of program plan shall be provided to and approved by the State Office of Education annually specifying the following:

1. General information
2. Budget information and categories
3. Assurances
4. Narrative
    a. Introduction
    b. Requirements
        (1) General Program Description
        (2) Full Educational Opportunity Goal
        (3) Child Identification
        (4) Parent Involvement
        (5) Participation in Regular Education programs
        (6) Individualized Education Programs
        (7) Confidentiality of Personally Identifiable Information
        (8) Public participation
        (9) Personnel Development
        (10) Supervision
        (11) Use of Part B Funds

IV. B. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

Each public agency shall establish a program and procedures for the development and implementation and evaluation of a comprehensive system of personnel development which shall include:

1. Inservice training for all general and special educational instructional, related services, and support personnel;
2. Procedures to insure that all personnel who are responsible for the instructional programs or delivery of related or

support services to handicapped students are properly qualified and certified; and

3. Effective procedures for acquiring and disseminating to teachers and administrators of programs for handicapped students significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices and materials developed through those projects.

4. Local program and procedures must be in harmony with the State CSPD plan.

IV. C. PROVISION FOR LEADERSHIP

LEAs shall provide appropriate and specific full time or percent of FTE leadership service for coordination and supervision of special education programs, including instructional assistance to special education teachers. Leadership may be provided within the district, on a multi-district or regional basis, or on a contracted arrangement. Adequacy and appropriateness or personnel assigned will be assessed by the State Office of Education.

Definitions:

1. Adequacy - A minimum of one FTE, or proportionate percentage, leadership person for every 25 special education teachers.

2. Appropriateness - a supervisory credential with an emphasis in special education is recommended. In addition, LEAs may select certain special education teachers to serve as "consulting or helping teachers" to other special education personnel.

IV. D. PROVISION FOR DIAGNOSTIC AND ASSESSMENT PERSONNEL

Public agencies shall provide appropriate and specific identification, diagnostic and assessment services. Public agency plans, procedures and budgeting for identification, diagnosis and assessment of the handicapped will be evaluated as to adequacy and appropriateness by the State Office of Education. The Legislature designates the authority for determining the appropriateness of examiners; see Rule II.C.5.

IV. E. PREVALENCE OF HANDICAPPING CONDITIONS

The total number of students in Average Daily Membership (ADM) served under all service patterns should not exceed the percentages of total district population listed for each handicap on the following chart.

Approval to exceed the maximum prevalences stated may be granted subject to justification submitted in writing to the State Director of Special Education.

Category	Prevalence
(Homebound & Hospitalized Handicapped (Permanent and Temporary included)	*
Intellectually Handicapped (formerly EMR)	.015
Severe Intellectually Handicapped (formerly TMR)	.002
Severe Multiply Handicapped, (including Deaf-Blind, Autistic, and Training Centers for Severely Handicapped)	.004
Specific Learning Disabled (formerly LD)	.03
Behavior Disordered (formerly E/BH)	.03
Deaf	.0008
Hard of Hearing	.002
Communication Disordered (Speech/Hearing/Language)	.035
Physically Handicapped (Motor Handicapped and Other Health Impaired	.002
Visually Impaired	.001
TOTAL	.1218

To determine the handicapped ADM limit for each category, use the following conversion formula:

$$\frac{\text{Aggregate number of enrolled pupils (counting both present and absent pupils) during the year}}{\text{Number of days school is in session (180 days)}}$$

(See Annual Estimated Data Report instructions)

IV. F. MAXIMUM PUPIL-TEACHER RATIO FOR SERVICE PATTERNS

Maximum pupil-teacher ratios are set for each service pattern. Maximum pupil-teacher ratios refer to head count, NOT ADM. (See Tables B & C).

Approval to exceed the maximum pupil-teacher ratios stated may be granted subject to justification submitted in writing to the State Director of Special Education.

---

*Homebound & Hospitalized Handicapped service pattern (Permanent and Temporary) does not increase prevalence total; but does increase service cost.

TABLE B

MAXIMUM PUPIL-TEACHER RATIO

More Severe ⟵ Severe ⟶ Less

	Self-Contained Special Class	[1]Resource	
		To a Single Handicap	Two or More Handicaps
IH (EMR)	15	15	*
SIH (TMR)	12	15	
SLD (LD)	15	24	*
BD (B/EH)	12	24	*
D	12	20	*
[2]Hrg Imp	15	20	*
[2]CD	NA	60	*
PH	12	NA	*
[2]VI	NA	20	*
[3]SMH (Incl Trng Cntr)	12(w/help of aide)	NA	(*Total of 35 students from starred categories)
[4]HB (Hndcpd only)	15	NA	

[1] ADM for resource programs is figured on a daily service basis of not less than ½ hr. per day. If less frequent than daily service is prescribed, the teacher will list these students in the official attendance register by diagnosed handicap and record the days they are served. The total of days served will then be considered as the number of days in membership. (See Rule VI.B.)

[2] ADM for programs for Communication Disordered, Visually Impaired, and Hearing Impaired, is figured on a weekly caseload when an itinerant service pattern is provided. When handicapped services are provided by itinerant teachers, the minimum time should be ½ hour per contact with student.

[3] A certificated teacher may serve more than 12 SMH students with more than one aide. Total teacher and aide ratios to pupils should not exceed 1:6. A certificated teacher may not be responsible for more than 18 students, with the help of two (2) aides.

[4] Handicapped Homebound Instruction time per student should average two (2) hours per week. An anticipated absence of at least two weeks is required for participation in the homebound program.

TABLE C
MAXIMUM PUPIL-TEACHER RATIO FOR SELF-CONTAINED/RESOURCE OPTION

Categories Allowable:

IH, SLD	BD, D
HI, CD	PH, VI

Students Self-Cont'd in Resource Class (½ day or more)	Resource Students (Less than ½ day)	Total Students (Head Count)
1	32	33
2	29	31
3	26	29
4	23	27
5	20	25
6	17	23
(Maximum)		

IV. G. CERTIFICATION REQUIREMENTS

1. Teachers serving in a self-contained service pattern must be certificated in the category in which they are assigned. (Example: Teachers serving in a self-contained class for intellectually handicapped [IH, SIH, SMH] must have the Intellectually Handicapped or Severely Handicapped/Intellectually Handicapped Endorsement. A Severely Handicapped/Learning Disabled or Emotionally Handicapped Endorsement is not considered acceptable in a self-contained intellectually handicapped classroom.)

2. Teachers serving in a resource program providing service for a single handicap must be certificated in the category to be served. (See example above.)

3. Teachers serving in a resource program providing service to students who are mildly handicapped from two or more categories who hold endorsements in any of five areas - Intellectually Handicapped, Emotionally Handicapped, Learning Disabled, Communication Disordered, or Resource, are considered to be properly certificated, through June, 1981, or until their certificate expires (until June, 1985). After July 1, 1981, teachers newly assigned to a Special Education resource program will be required to hold the Special Education Resource Endorsement.

   Teachers holding the L.D., I.H., E.H., OR C.D. endorsement, who have served in the resource setting three of the five years of their certification period, will be issued the Resource, as well as Severely Handicapped Endorsement for their category, or C.D. credential, upon recertifying. They will continue to be appropriately certificated, therefore, to serve in such a resource program.

   Districts shall carefully assess the competencies of the teacher before assignment is made to the resource service pattern.

   These certification rules for the resource program also apply to the self-contained/resource option. (See Appendix H - State Certification Endorsements).

4. Teachers serving in a classroom for physically handicapped, or in a service to the homebound or hospitalized handicapped, must have one of the special education endorsements.

V. PROCEDURAL SAFEGUARDS

Each public agency shall insure that procedural safeguards are established and implemented which meet the requirements of 300.500-300.514, and the current approved Utah Amended Annual Program Plan for the Education for all Handicapped Children Act. (See Appendix G for complete Federal Regulations on Procedural Safeguards).

A. DUE PROCESS PROCEDURES FOR PARENTS AND CHILDREN

Requirements in the following sub-categories must be met:

1. Opportunity to examine records
2. Independent educational evaluation
3. Prior notice; parent consent
4. Content and notice
5. Impartial due process hearing
6. Impartial hearing officer
7. Hearing rights
8. Hearing decisions; appeal
9. Administrative appeal; impartial review
10. Civil action
11. Timelines and convenience of hearings and reviews
12. Child's status during proceedings
13. Surrogate parents

V. B. PROTECTION IN EVALUATION PROCEDURES

Each public agency shall establish and implement procedures which meet the requirements of Sec. 300.530-543, and the Utah Amended Annual Program Plan for the Education for all Handicapped Children Act.

Requirements in the following categories must be met.

1. Preplacement evaluation (See Rule II.C)
2. Evaluation procedures (See Rule II.C.)
3. Placement procedures (See Rule III.E)
4. Re-evaluation (See Rule II.D.3, and III.F.)

V. C. LEAST RESTRICTIVE ENVIRONMENT

Each public agency must establish and implement procedures which meet the requirements under 300.550-556 and the Utah Amended Annual Program Plan for the Education for all Handicapped Children Act. The following requirements must be met:

1. Continuum of alternative placements. (See Rule III.E.3, and Table A)
2. Placements (See Rule III.E.2)
3. Nonacademic settings
4. Children in public or private institutions (See Appendix D)
5. Technical assistance and training activities
6. Monitoring activities

V. D. CONFIDENTIALITY OF INFORMATION

Each public agency must establish and implement procedures which meet the requirements under 300.560-576 and the Utah Amended Annual Program Plan for the Education for all Handicapped Children Act. The following requirements must be met:

1. Notice to parents
2. Access rights
3. Record of access
4. Records on more than one child
5. List of types and locations of information
6. Amendment of records at parents' request
7. Opportunity for a hearing
8. Result of a hearing
9. Hearing procedures
10. Consent
11. Safeguards
12. Destruction of information
13. Children's rights
14. Enforcement

VI. FUNDING - State Reimbursement for Handicapped Program Costs

Eligible reimbursable costs are those direct costs specified in these Rules and Regulations. Such funds provide restricted (categorical) monies which must be spent for the education of the handicapped. Each year, the School Finance Law states the total weighted pupil units and the corresponding dollar amount which places a ceiling on available State funds.

A. ALLOCATION OF STATE REVENUES FOR PROGRAMS FOR THE HANDICAPPED:

1. Funds for education of the handicapped are allocated on an ADM basis according to verified reports.

2. No district shall receive more than its proportionate share of funds as its total of handicapped students by classification bears to the total for the state with the exception of adjustments made for the growth factor in the formula, prevalence limits, and hold harmless provisions.

3. If the total legislative appropriation of weighted pupil units for handicapped programs is underestimated, then the amount per pupil must be reduced so that the amount paid does not exceed the amount stipulated in the school finance law.

   If the total state amount of weighted pupil units is overestimated, the State Office of Education may have the option of either increasing the amount per weighted pupil unit or transferring the unused amount to another state program.

4. Funds generated, but unspent, must be carried as a balance in revenue for the following year.

   Funds may be spent only for direct costs, as provided in these Regulations.

5. Direct costs are those elements of cost which can be easily, obviously, and conveniently identified with the specific activities or programs, as distinguished from those costs incurred for several different activities or programs and whose elements are not readily identifiable with specific activities.

6. Allowable Direct Costs for approved Handicapped Programs are as follows:

Object Codes:

115 Properly certificated personnel in direct supervision or coordination of special education programs.

131 Properly certificated teachers who teach students in programs for the handicapped.

144 Properly certificated persons qualified as psychologists who are used in identifying, diagnosing, and evaluating

handicapped students, and instructional or treatment services.

132 Substitute teachers.

141 Social workers who work directly with students in programs for the handicapped.

143 Properly certificated health personnel who are assigned to work with students in programs for the handicapped.

152 Secretarial personnel assigned to work directly with programs for the handicapped.

161 Teachers' aides and para-professionals.

162 Media aides.

Special Note: Personnel who are assigned to work directly with handicapped programs on a part-time basis must have their salaries pro-rated accordingly, and such must be documented.

641 Textbooks

644
650 Instructional media/materials.
660

610 Teaching supplies.

580 Approved travel for personnel in conjunction with their assignments for programs for the handicapped.

452 Rental of equipment for programs for the handicapped.

240 Health and Accident Insurance - Certificated and classified personnel who are assigned to programs for the handicapped. To be prorated, if part time.

730 Equipment for the handicapped programs.

740 Replacement of equipment for the handicapped programs.

320 Contracted services and other costs for instructional programs which can be traced directly to programs for the handicapped without the need for proration.

Following are Examples of Unallowable Direct Costs:

Function Codes:

2300 Administration

2700 Pupil transportation (Provided under the transportation program).

	2600	Operation and maintenance of school plant.
	4000	Capital outlay, except for equipment for programs for the handicapped.
Object Codes:	200	Employee Benefits except for Health Insurance as identified in I. Pro-rated if assignment is part-time.
	520	Insurance
	451	Rental of Land and Buildings
	800	Other Objects

Exception to the Guidelines for Direct Costs as Shown Above:

In the case of self-contained school plants for the severe multiply handicapped or where facilities used by the handicapped are separate units from those used in regular programs, with approval of the Utah State Office of Education, documented direct costs may be allowed as follows:

Function Codes:	2600	Operation and maintenance of school plant.
Object Codes:	200	Employee Benefits (Excluding Employee Retirement and Social Security).
	451	Rental of Land and Buildings.
	521	Property Insurance.

7. Indirect Costs are Unallowable:

Indirect costs are those elements of cost necessary in the provision of a service which are of such nature that they cannot be readily or accurately identified with the specific service. For example, the custodial staff may clean corridors in a school building which is used jointly by administrative, instructional, maintenance, and attendance personnel. In this case, a part of custodial salaries is an indirect expense of each service using the corridors. However it is impossible to determine readily or accurately the amount of the salary to charge each of these services.

8. Personnel:

Where personnel serve the handicapped and are paid from funds for programs for the handicapped, their entire time must be spent with the handicapped. If the person has additional responsibilities, that portion of the person's time devoted to the handicapped must have documentation to show that the time spent in the program for the handicapped and the proportional salary paid from funds for programs for the handicapped are defensible.

9. Contracted Services:

Contracted services are rendered by personnel who are not on the payroll of the LEA. Funds expended for contracted services for the handicapped are limited to those appropriate expenses authorized by the contract.

10. General Funds:

All costs of programs for the handicapped borne by the district, which are not classified as direct costs will come from general funds of the district.

VI. B ADMINISTRATIVE PROCEDURES FOR DETERMINING AVERAGE DAILY MEMBERSHIP

Handicapped Weighted Pupil Units (WPUs) will be determined from Average Daily Membership (ADM). The official attendance register adopted by the Utah State Office of Education or approved District Register, will be used to record membership and to verify attendance of students in programs for the handicapped. Roll book requirements as described in Rule III.I., will be met by all teachers serving the handicapped, (See Table D). The method of accounting for these students is described as follows:

1. Self-contained class:

Students are enrolled in separate classes under a special education teacher for one-half day or more. Membership and attendance will be kept by the teacher of the self-contained class and reported according to ADMs per handicapping condition. Students served in a self-contained classroom will NOT be carried on a regular classroom teacher's roll book, but participation in regular activities is encouraged when possible.

2. Resource program:

Resource students are enrolled in a regular class for more than one-half day, and receive special education instruction from certified personnel. When the "resource/self-contained option" is used, the student is enrolled in the resource class for ½ day or more. Students accruing the self-contained weighting in the combined resource option will NOT be carried on a regular class roll book.

Membership and attendance in resource programs will be kept and reported in the following ways:

a. For handicapped students who leave the regular class for service daily, (not less than ½ hour per day). Funding will be on entrance to exit dates to generate the ADM.

b. For handicapped students who do not leave the regular classroom for special instruction but receive service daily from a certified special education teacher, or from the regular teacher in frequent consultation with the resource/special education teacher, funding accrual will be as above.

c. For handicapped students who may or may not leave the regular classroom, but receive less than daily service, the special education teacher will list these students in the official attendance register by diagnosed handicap and record the days the students are directly served and/or the regular teacher is formally consulted (except as in d. below). The total days served will be considered as the number of days in membership.

d. For handicapped students served through an itinerant program, the funding will be on an entrance to exit ADM basis, whether the prescribed service is daily or on less than daily basis.

See Table D for a representation of roll book requirements and funding accrual procedures.

3. Psychologists and social workers providing intervention for behaviorally disordered students

a. Certificated school psychologists and social workers may serve identified behavior disordered students needing resource help and accrue special education categorical funds when the intervention recommended by the IEP Team is primarily of a personal/social/emotional nature, as stated in the Individualized Educational Program (IEP). When this service option is utilized, it is assumed that any other remedial education assistance is being handled by the regular teacher, not by another Special Education teacher.

b. When behavior disordered students receive the services of a special education resource teacher, psychological and social work services needed will be provided on a pupil services basis, and additional assistance by the psychologist or social worker to the special education resource teacher or student will NOT accrue special education categorical funds.

c. When psychologists and social workers serve identified behavior disordered students on a special education fund-accrual basis, they will meet all requirements and procedures required in the Rules and Regulations for Education Programs for the Handicapped as though they were serving as a resource teacher, including keeping a roll book, submitting special education class reports and will use the resource pattern "Service to a Single Handicap." (See Table B). In this situation certificated psychologists and social workers function as "special education teachers," and will list these students in the official attendance register by diagnosed handicap and record the days they are served. The total number of contact days served will be considered as the number of days in membership.

4. Fund accrual for initial identification, diagnosis and placement ("20-Day Rule")

   New students referred for special education, or handicapped students new to a district or school, may be claimed under ADM provision for up to twenty calendar days from the date of referral, in order to provide funding help for appropriate diagnostic action resulting in a special education placement. (This does not apply to students being evaluated for reclassification every three years). Referred students receiving evaluation and not found to qualify as handicapped, shall not be claimed for special education ADM reimbursement under this provision.

   It is expected that a year-end review of a student's program will outline his/her program for the following year and that a majority of handicapped students will re-enter special education instruction the first day of school. Average Daily Membership (ADM) is computed by adding the number of days in membership and dividing the sum by 180. No student may accrue more than 180 days in ADM.

5. Roll book and funding procedures for students who have 10 or more unexcused consecutive absences ("10-Day Rule")

   When a handicapped student is absent, unexcused, for more than 10 consecutive days, he/she must be exited from the roll, and not re-entered until he returns to class. Example: if a student is absent for 15 consecutive days, unexcused, he must be exited after the 10th day. If he returns on the 16th day, he would be re-entered on the rollbook (by an entry code). At the year's end, therefore, he could only generate a possible maximum of 175 days in membership.

   Additional official attendance registers needed will be furnished by the State Office of Education.

VI. C. RECOVERY OF FUNDS FOR MISCLASSIFIED CHILD

1. These Rules and Regulations describe procedures for determining the handicapping condition and eligibility for special

education services. A handicapped child whose diagnostic record does not support nor substantiate the classification of a handicapping condition, will be considered an erroneously classified child not eligible to be counted under the provisions of the State or Federal requirements, nor receive federal or state support.

The Utah State Office of Education will provide program and financial audits on a regularly scheduled basis. These audits will determine, by reviewing the Individual Education Program of selected classified students, whether criteria established by the Utah State Office of Education Rules and Regulations for Education Programs for the Handicapped have been met. If a student is found to be misclassified and federal expenditures have been made for direct or related service to that student, a notification of audit exception will be given to the district. Reimbursement for expenditures made on an erroneously classified handicapped child will be made to the State Office of Education within ninety (90) days of notification of audit exception.

VI. D. CORRELATION OF REPORTS

In order to assure accuracy, districts shall provide a procedure for program, financial and statistical personnel to coordinate and correlate information required by the State Office of Education. (Example: A count of students served as reported on the S-3 report should agree with the count of students on the teacher's roll book and other statistical reports.)

TABLE D.

SPECIAL EDUCATION PROGRAMS

ROLLBOOK INFORMATION AND FUNDING ACCRUAL PROCEDURES

Handicapping Condition	List by Student's Name & Service Pattern	Recording Attendance	Funding Accrual
A. Self-Contained Program:			
Record handicapping condition or code for each child served	1. Self-contained Students in a special class	Record attendance as in regular class	Entrance to exit dates is total days in ADM.
B. Resource Program - Two or More Handicaps:			
Record handicapping condition code for each child served	1. Self-contained (for "combined option") (1/2 day or more in resource class)	Routine recording of attendance (See Rule VI. B. 2)	Entrance to exit dates
	2. Service daily - in regular class to child or teacher	Routine recording of attendance	Entrance to exit dates
	3. Service daily - into resource room	Routine recording of attendance	Entrance to exit dates
	4. Service less than daily - in regular class to child or teacher (includes primary intervention by the psychologist or social worker.)	Record each contact with child or teacher	Total number of contacts as total days in ADM
	5. Service less than daily - in resource room (includes primary intervention by the psychologist or social worker)	Record each contact	Total number of contacts as total days in ADM
C. Itinerant Program or Resource/Single Handicap:			
Record handicapping condition code for each child served	1. Itinerant programs or resource with single handicap Daily service	Routine recording of attendance	Entrance to exit dates
	2. Itinerant - less than daily service	Routine recording of attendance	Entrance to exit dates

Table E

*Rollbook Coding
for
Handicapping Conditions & Service Pattern

Resource		Self-Contained
01	Intellectually Handicapped (formerly EMR)	C
02	Severe Intellectually Handicapped (formerly TMR)	D
03	Specific Learning Disabled	A
04	Behavior Disordered (formerly B/EH)	H
05	Deaf	F
06	Hard of Hearing	B
07	Communication Disordered - Speech/Language Impaired	xxxxxx
08	Communication Disordered - Mild Hearing Impaired	xxxxxx
09	Physically Handicapped - Orthopedically Handicapped	E-1
10	Physically Handicapped - Other Health Impaired	E-2
11	Visually Impaired	xxxxxx
	Severe Multiply Handicapped - Training Centers	I-1
	Severe Multiply Handicapped - Deaf-Blind	I-2
	Severe Multiply Handicapped - Autistic	I-3
	Homebound/Hospitalized Handicapped	J

*These codes are used in the statewide resource/self-contained computerized accounting system.

APPENDIX A

Definitions by

Category,
Criteria,
Appropriate Procedures and
Tests

I. CATEGORY: COMMUNICATION DISORDERED (SPEECH/LANGUAGE/HEARING)

A. DEFINITION:

The communication disordered student has a disorder in one or in a combination of modes of communication: listening, thinking and speaking. The speech, hearing and/or language disorder may involve a disorder of spoken speech, expressive or receptive language, or receptive or integrative audition. The speech/hearing/language disorder may affect the student's communication to such a degree that it detracts from acceptable normal speech and language, calls undesirable attention to itself, is embarrassing to the student, or adversely affects educational performance and/or linguistic competence or performance.

B. CLASSIFICATION GUIDELINES:

The communication disorders specialist's (CDS) diagnosis is acceptable for classification in the communication disorders category. The diagnosis of the CDS indicates that the student has a disorder of speech/hearing/or language to such a degree that special rehabilitative instruction is necessary. For a student who has an articulation disorder as his handicap, the CDS, in complying with the multi-source assessment requirement, might use (1) a standardized test of articulation and (2) observation of the student's articulation in conversational speech. The CDS will, where necessary, make referrals for additional assessments needed by the team to make an appropriate judgment regarding the student's needed services and IEP.

For all students classified as Communication Disordered, there must be evidence of diagnosis by a certified CDS.

C. EDUCATIONAL EVALUATION GUIDELINES:

The CDS will, following screening procedures, administer individual diagnostic tests to each student with a speech/hearing/language disorder to determine the educational prescription and service pattern. Such testing may include, but not be limited to, the following:

1. Individual audiometric testing.
2. Formal articulation tests of various kinds.
3. Tests of language functioning and/or disorders, and psycho-linguistic tests.
4. Voice and fluency evaluation.
5. Oral-peripheral examination.
6. Classroom observation.

7. Achievement testing information available in the school, useful to the CDS and team in determining specific needs of the child.

Determination of the educational/treatment program and service pattern will be made by the IEP Team. (Rule III B.)

D. SPECIAL NOTE: TONGUE THRUST

Numerous requests are received by the CDS to treat a student for tongue thrust. The general policy should be that the student may be treated if there is an associated communication disorder. If not, and the student is not otherwise handicapped, he/she is not eligible to be treated under monies for the handicapped.

II. CATEGORY: PHYSICALLY HANDICAPPED: MOTOR HANDICAPPED, ORTHOPEDICALLY IMPAIRED, OR OTHER HEALTH IMPAIRED (OHI)

A. DEFINITION:

Physically Handicapped and Other Health Impaired refers to those students who have orthopedic impairments, motor handicaps and/or physical health conditions, congenital or acquired, or chronic health problems, who need Special Education intervention to achieve in the educational program.

B. CLASSIFICATION GUIDELINES:

Medical information should be obtained when deemed necessary for planning educational intervention. (Examples of diagnoses included are chronic health problems such as rheumatic fever, cardiac problems, epilepsy, spina bifida, muscular dystrophy, cerebral palsy, etc.)

As in other special education categories, the evaluation/classification team classifies the student, and the IEP team determines the services to be provided.

III. CATEGORY: SPECIFIC LEARNING DISABLED

A. DEFINITION:

"Specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing or motor handicaps, mental retardation, emotional disturbance, or environmental, cultural or economic disadvantage.

B. CLASSIFICATION GUIDELINES:

1. In evaluating a student suspected of having a specific learning disability, in addition to the requirements of the Utah State Board of Education, Rules and Regulations, Rules II and III, each public agency shall include on the multidisciplinary evaluation team:

   a. (1) The student's regular teacher; or

      (2) If the student does not have a regular teacher, a regular classroom teacher qualified to teach a pupil of his/her age; or

      (3) For a child of less than school age, an individual qualified by the State Education Agency to teach a child of his/her age; and

   b. At least one person approved by the district to conduct individual diagnostic examinations for which they have been trained.

   c. (1) A team may determine that a student has a specific learning disability if:

      (a) The student does not achieve commensurate with his/her age and ability level in one or more of the areas listed in paragraph (b) of this section, when provided with learning experiences appropriate for his/her age and ability levels; and

      (b) The team finds that a student has at least a 40 percent deficiency between achievement and both current grade placement and expected achievement in one or more of the following areas:

47

(i) Oral expression;
(ii) Listening comprehension;
(iii) Written expression;
(iv) Basic reading skills;
(v) Reading comprehension;
(vi) Mathematics calculation; or
(vii) Mathematics reasoning.

(2) The team may not identify a student as having a specific learning disability if the severe deficiency between ability and achievement is primarily the result of:

(a) A visual, hearing or motor handicap;

(b) Mental retardation;

(c) Emotional disturbance; or

(d) Environmental, cultural or economic disadvantage.

d. The amount of under achievement may be less as the students participating in the learning disabilities program begin to make academic growth and eventually reach a stage of maintenance. Consideration of this will help to determine movement along the continuum of service options and assist in targeting appropriate dismissals from special education learning disability programs.

C. INTELLECTUAL CRITERIA

Students whose primary handicapping condition is due to learning disabilities must score above the minus one standard deviation point on a major instrument that is recognized as a valid measure of intellectual functioning. The Wechslers, Slosson and Stanford-Binet Intelligence Tests would be appropriate instruments. When the Slosson Intelligence Test is utilized, the score should be 85 or above. Occasionally, there is reason to suspect the test(s) results are not true indices of a particular student's ability. In this case, other data supporting the professional judgment that the intellectual potential is above minus one standard deviation must be submitted in written form.

D. SENSORY CRITERIA

1. Hearing sensitivity must be within normal limits after correction. However, students who may be experiencing a temporary loss of this is noneducationally relevant, i.e., high frequency losses above the speech range or hearing loss in one ear only should not automatically be excluded.

2. Visual acuity must be within normal limits after correction in the better eye, i.e., acuity better than 20/70.

E. MENTAL HEALTH CRITERIA

Students with learning problems primarily due to emotional disabilities are not eligible for services on the basis of learning disabilities. Although this differentiation, many times, is primarily one of professional judgement, the staffing team should minimally consider each student's behavior in the following areas:

1. Behavior problems apparent in social relationships including peer relationships, student teacher relationships, student parent relationships and student sibling relationships.

2. Behavior problems apparent in various settings including the regular classrooms, playground, study hall and other unstructured time, special subject areas such as music and art, the home and the community.

Students with learning disabilities, however, may evidence behaviors which are characteristic of social/emotional problems. They may often miss or confuse nonverbal cues in the behavior of others and have little understanding of subtle language used in puns, slang expressions, etc. They may not be able to attend to a task in group settings. As the student with learning disabilities grows older, particularly if he/she has been undiagnosed and unserved, he/she often will have a less than adequate self-concept and be difficult to motivate.

F. OBSERVATION

1. At least one team member other than the student's regular teacher shall observe the pupil's academic performance in the regular classroom setting.

2. In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

G. WRITTEN REPORT

1. The team shall prepare a written report of the results of the evaluation.

2. The report must include a statement of:

   a. Whether the student has a specific learning disability;

   b. The data basis for making the determination;

   c. The relevant behavior noted during the observation of the student;

   d. The relationship of that behavior to the student's academic functioning;

e. The educationally relevant medical findings, if any;

f. Whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and

g. The determination of the team concerning the effects of environmental, cultural or economic disadvantages.

3. Each team member shall certify in writing whether the report reflects his/her conclusion. If it does not reflect his/her conclusion, the team member _must_ submit a separate statement presenting his/her conclusions.

H. EDUCATIONAL HISTORY

When an academic discrepancy _is_ identified, it is important to determine if that discrepancy is the result of such factors as an extended absence without the provision of a school program, frequent moving, inadequate instruction, a non-English speaking home or other external factors that have been mentioned previously. Parent interview and review of relevant school records are useful information gathering techniques. Remedial programs, compensatory education, special needs or other general education alternatives may be the most appropriate interventions in these cases.

I. LEARNING SKILLS AND PROCESSES OR LANGUAGE SKILLS AND PROCESS

The assessment of information processing abilities is sometimes achieved by instruments which purport to measure modality preferences, perceptual skills (e.g., closure, discrimination, sequencing, etc.), memory functions and levels of meaningfulness. The assessment of the linguistic system is achieved through the use of measures of reception and expression of semantics, syntax and morphology.

Use of instruments which purport to measure information processing abilities must be coupled with professional judgment. Persons knowledgeable in learning disabilities will be able to make clinical judgments of information processing by observation of how the child deals with the task, demands of other instruments and through observation of the students in the school setting.

When used in determining eligibility, the relationship of findings in these areas to the student's school performance should be clearly established. Data in these areas, whether based on the observation in the classroom, standardized instruments, surveys or clinical judgments extrapolated from instruments primarily designed to assess other variables, should be documented in written form.

J. OTHER CHARACTERISTICS

Other characteristics are frequently associated with the learning disabled, such as attention problems, high distractability, difficulty generalizing from past experiences and drawing conclusions. Observations of these behaviors, if used in determining eligibility, must also be entered in written form indicating on what basis the clinical judgments have been made.

K. ADDITIONAL COMMENTS

Assessment can be viewed as having two primary purposes:

1. Assessment for identification of a handicap, and
2. Assessment for planning individualized education programs.

Assessment of instructional needs is accomplished to acquire the necessary information to develop an appropriate comprehensive education plan for the student with learning disabilities. Although some of this information is collected by the staffing team as part of the identification process, additional information may be necessary for instruction purposes. There should be an analysis of the learner in his/her environment, which includes:

1. A teacher and parent interview;
2. Direct observation in the classroom in a variety of activities; and
3. Review of relevant school records.

Assessment of specific educational needs should consider:

1. The teacher's written report of the student's specific strengths and weaknesses in the academic and behavioral areas;
2. Behavioral checklist completed by those who have worked with the student;
3. Criterion referenced test;
4. Error analysis of the individual student's work; and
5. Diagnostic teaching.

This type of assessment for instructional purposes should be ongoing and provide the relevant data for follow-up and yearly reevaluation.

L. EXAMPLES OF TESTING INSTRUMENTS (Not considered mandatory or all inclusive)

1. Oral Expression
   Utah Test of Language Development (UTLD)
   Carrow Elicited Language Inventory (CELI)
   ITPA Verbal Expression Subtest
   Northwestern Syntax Screening Test (NSST)
   Test of Language Development (TOLD)

2. Listening Comprehension
   Brown-Carlson Listening Comprehension Test
   Carrow Test for Auditory Comprehension of Language
   Durrel Listening Reading Series
   Goldman-Fristoe-Woodcock Auditory Tests
   Lindamood Auditory Conceptualization Test

3. Written Expression
   Mykelbust Picture Story Language Test
   Comprehensive Tests of Basic Skills (CTB/McGraw Hill)
   Iowa Tests of Educational Development: Test 3
   Valett Psychoeducational Inventory of Basic Learning Abilities
   Slingerland Screening Test for Identifying Children with Specfic Language Disabilities

4. Basic Reading Skills
   Woodcock Reading Mastery Tests
   Peabody Individual Achievement Test (PIAT)
   Spache Diagnostic Reading Scales
   Durrell Analysis of Reading Difficulty
   Gates-McKillip Reading Diagnostic Tests
   Stanford Achievement Tests
   Metropolitan Achievement Tests

5. Reading Comprehension
   Woodcock Reading Mastery Tests
   Peabody Individual Achievement Test (PIAT)
   Stanford Achievement Test
   Stanford Diagnostic Reading Test
   Durrell Analysis of Reading Difficulty
   Gates-MacGinitie Reading Tests Survey F
   Gilmore Oral Reading Tests
   Metropolitan Achievement Tests

6. Mathematics Calculation
   Key Math Diagnostic Arthmetic Test
   Wide Range Achievement Test
   Stanford Achievement Tests
   Stanford Diagnostic Arithmetic Test
   Metropolitan Achievement Tests
   SRA Achievement Series
   Peabody Individual Achievement Test (PIAT)

7. Mathematics Reasoning
   Key Math Diagnostic Arithmetic Test
   Iowa Every-Pupil Tests of Basic Skills
   SRA Achievement Series
   Stanford Diagnostic Arithmetic Test
   Peabody Individual Achievement Test (PIAT)
   Metropolitan Achievement Tests

IV. CATEGORY: INTELLECTUALLY HANDICAPPED
(formerly, Educable Mentally Retarded)

A. DEFINITION:

An intellectual handicap refers to significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior* and manifested during the developmental period (definition from American Association on Mental Deficiency). Persons whose intellectual disabilities prevent proper scholastic growth through regular program offerings, but who appear capable of acquiring primary academic skills, social adequacy and occupational competency are included in this category. On an individual intelligence test, an educable intellectual handicap is generally indicated by an over-all score in the 55-75 range.

B. CLASSIFICATION GUIDELINES:

1. Eligibility is determined by a thorough case study provided by a multidisciplinary diagnostic team which must assess psychoeducational and adaptive functioning.

2. The I.Q. is generally 55-75, as determined by an individual psychological examination administered by a qualified psychological examiner, using one or more standardized tests.

3. Adaptive behavior* assessment must show evidence that low I.Q. is not a function of

    - environmental disabilities
    - experiential deprivation,
    - ethnic variables.

4. Multidiagnostic instruments reveal a uniformly low profile.

---

*Adaptive behavior is defined as the effectiveness or degree with which the individual meets the standards of personal independence and social responsibility expected of pupils of comparable age and cultural group.

V. CATEGORY: SEVERE INTELLECTUALLY HANDICAPPED
(formerly Trainable Mentally Retarded)

A. DEFINITION:

An intellectual handicap refers to significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior* and manifested during the developmental period (definition from American Association on Mental Deficiency). The trainable intellectually handicapped generally fall within the 40-60 I.Q. range, are unable to keep up with an educable intellectually handicapped class, have reasonable possibility of acceptable behavior in social groups, and have some ability to acquire personal competency to become, in part, self-directing individuals and acquire some type of vocational skills.

B. CLASSIFICATION GUIDELINES:

1. Eligibility is determined by a thorough case study provided by a multidisciplinary diagnostic team which must assess psycho-educational and adaptive functioning.

2. The trainable intellectually handicapped student is generally incapable of being educated efficiently and properly through special education classes for the educable intellectually handicapped.

3. The I.Q. is generally 40-60, as determined by an individual intellectual examination administered by a qualified psychological examiner.

4. Lack of ability to deal effectively with people and situations is a factor in determining whether an individual is classified as intellectually handicapped (formerly EMR), or severe intellectually handicapped (formerly TMR).

---

*Adaptive behavior is defined as the effectiveness or degree with which the individual meets the standards of personal independence and social responsibility expected of pupils of comparable age and cultural group.

VI. CATEGORY: SEVERE MULTIPLY HANDICAPPED

A. DEFINITION:

The severe multiply handicapped are those individuals who present an array of two or more handicaps, each one of which prevents or interferes with normal functioning to the extent that special education intervention is needed. These individuals require special education provisions of the type not available in programs designed to serve only one handicap.

B. CLASSIFICATION GUIDELINES:

1. An intellectual, and adaptive behavior* educational diagnosis will be mandatory on each individual. Medical information should be obtained when deemed necessary for planning educational intervention. Assessment of communication and/or behavioral disorders will be conducted, as necessary, by appropriate certified personnel.

2. Sub-Categories:

   a. Deaf-Blind: Students with loss of both hearing and vision to such a degree that they cannot be adequately served in either a program for the blind or the deaf. The special language development problems of these children place them in a separate category from other multihandicapped. Teachers and aides must have special training.

   A student may be determined as eligible for deaf-blind services when a combination of the following conditions from the vision, hearing and education areas exists.

   Vision (any of the following):

   Measured or estimated corrected visual acuity of 20/100 or less in the better eye, and/or a previous chronic condition has existed which has interfered with the visual learning mode.

   In the presence of a normal peripheral vision apparatus as determined by an ophthalmologist, cortical blindness which must be verified by reports indicating an absent optikinetic nystagmus as appropriate to age by an ophthalmologist, or pediatrician, or pediatric neurologist.

   Field of vision of 20 degrees or less in the better eye.

---

*Adaptive behavior is defined as the effectiveness of degree with which the individual meets the standards of personal independence and social responsibility expected of pupils of comparable age and cultural group.

Visual acuity cannot be definitively measured and the student is suspected of being functionally blind. "Functionally blind" means the student does not visually track, localize or use vision appropriate to developmental level (as determined by appropriate developmental assessment).

Hearing (either of the following):

30 DB bilateral sensory-neural hearing loss as a minimum across the speech frequency in the better ear with amplification, and/or a previous chronic condition has existed which has interfered with the auditory learning mode.

Sensitivity and middle ear functioning cannot be definitively measured and the student is suspected of being "functionally deaf." "Functionally Deaf" means the student does not auditorally attend to, respond to or localize sounds, or use hearing appropriate to developmental level (as determined by appropriate development assessment).

Education

Students with loss of both hearing and vision to such a degree that they cannot be adequately served in either a program for the blind or the deaf without special assistance by teachers and aides with special training. These individuals require special education provisions of the type not available in programs designed to serve only one handicap. The special language development problems of these students place them in a separate category that is different from other multiple handicapped students but may include additional handicapping conditions.

b. Autism

(1) Definition: Autism is a severe incapacitating developmental disability. The essential features are typically manifested prior to 30 months of age and include disturbances of

(a) capacities to relate to people, events, and objects;

(b) speech, language and cognitive capacities;

(c) responses to sensory stimuli;

(d) developmental rates and/or sequences.

(2) Characteristics and Descriptors:

(a) Typically onset before 30 months of age.

(b) Pervasive lack of responsiveness to other people.

Examples: Lack of interest in people, "sees through" or relates to people as if they are objects. In infancy, lack of attachment behavior (poor facial responsiveness, avoids cuddling, poor anticipatory posture). As toddlers, they tend not to follow parents around house or seek comfort. After five, failure to make personal friendships, lack of empathy, failure to perceive other people's feelings and responses resulting in inappropriate social behavior. The above are considered in the context of the student's abilities but cannot be explained by mental retardation only.

(c) Gross Defects in Language Development.

Examples: Marked delay in language development or lack of language development. Deficits in pre-language skills including early failure to show social imitation, delay in meaningful use of inappropriate use of objects, lack of imaginative creative pretend play, lack of varied babble. Impaired receptive language (difficulty in following simple instructions in novel context without the use of gesture, or in situations involving the combination of two or more ideas). May lack gesture and mime, may take adult by wrist rather than by hand to make need known, may point with entire hand rather than index finger. May not gesture at all.

(d) If speech is present, peculiar speech patterns such as immediate and delayed echolalia, metaphorical language, pronominal reversal.

Examples: Echoing what others say, using the pronoun "You" when "I" is the intended meaning, lack of to and from chatter with reciprocal interaction, difficulty in talking about anything outside of the immediate situation. Failure to develop abstract concepts and reasoning. Peculiar utterances used by the student, the meaning of which is not clear. Abnormal speech melody such as computer-like voice or question-like rises at the end of statements.

(e) Bizarre responses to various aspects of the environment.

Examples: Resistance to change, even catastrophic reactions to minor changes in the environment (e.g., screaming, destructive), peculiar interest in or attachment to objects (e.g., insists on always carrying a string or rubber band). Ritualistic compulsive and stereotyped behaviors with disturbances in response to sensory stimuli (e.g., close scrutiny of visual details, staring, prolonged regarding of hands or objects, attention to changing levels of illumination, hand flapping rocking, teeth grinding, close attention to self-induced sounds. Non-response or over-response to varying levels of sound, over- or under-response to touch, pain, temperatures, prolonged rubbing of surfaces, whirling without dizziness, preoccupation with spinning objects, repetitive sniffing, licking of inedible objects, posturing, darting-lunging movements, grimaces, and other self-stimulatory or self-injurious behaviors.

(f) Disturbances of Developmental Rates and Sequences.

Examples: Delays, arrests and/or regression occur among or within one or more pathways, e.g., gross motor was fine and/or motor development may be normal until age two when walking stops, speech may develop normally until 18 months when abruptly ceases, imitative behavior and/or speech may be delayed in onset until age three, followed by rapid acquisition to expected developmental level.

The above is distinguished from mental retardation only, in which developmental delays usually occur in all areas, and developmental sequences (social motor cognitive) remain coordinated. In mental retardation only, responses to sensory inputs, people and objects, and speech and language development are appropriate to the overall developmental level of cognitive functioning.

(g) Absence of Delusion, Hallucinations, loosening of Associations and Incoherence as in Schizophrenia.

(3) Assessment

Every student classified as SMH-Autistic will have assessment data in his/her records in:

(a) Developmental history

(b) Educational behavior (ex. including academic and language)

(c) Adaptive/social behavior

(d) Suggested use of scores on the "Autism Screening Instrument for Educational Planning" by Krug, Arick and Almond (a score of 77 on the ABC part suggests a high probability for classification of autism). Where in question, the instrument should be completed by both a parent and teacher. Another checklist which is available and recommended is The Rimland (E-2) Autism Checklist.

(e) Disclaimers for:

    [1] Primary emotional disturbance

    [2] Primary mental retardation (a majority of autistic students will have secondary mental retardation).

VII. CATEGORIES: VISUALLY IMPAIRED (BLIND AND PARTIALLY SIGHTED)

A. DEFINITION:

This category includes students having a visual handicap of such a degree that they are prevented from achieving success in the least restrictive environment without specialized instruction. The range of handicap varies from total blindness to mildly partially sighted. Program interventions may necessitate a self-contained class for the blind, a special resource room for the blind or visually handicapped, the services of an itinerant or resource teacher to help the child to succeed in assignments of the regular classroom, or the residential school for the blind.

B. CLASSIFICATION GUIDELINES:

An opthalmologist's report stating the diagnosis and description of the student's visual problem and indicating cause, acuity, and field of vision is necessary for diagnosis and classification.

C. EDUCATIONAL EVALUATION GUIDELINES:

All of the following information must be taken into consideration when determining the program placement of the student with visual impairment and in determining the extent of special programs necessitated.

1. Opthalmologist's diagnostic findings and recommendations.

2. Educational achievement of the student.

3. Social/emotional development.

4. Other handicapping conditions present in the student.

5. An assessment by a qualified teacher of the visually impaired as to the functioning level of the student in adjusting to visual problems and gaining educational and social successes.

VIII. CATEGORY: HEARING IMPAIRED - HARD OF HEARING

A. DEFINITION:

1. Hearing Impairment. A hearing impairment is a generic classification of hearing loss including the terms "deaf" and "hard of hearing."

   Hearing loss limits the transmission of sound signals through the human organs of hearing. It includes a conductive or sensorineural loss or combination thereof. A conductive loss results when sound pressure waves are obstructed in the outer or middle ear. A sensorineural loss results when there is damage to either the cochlea or auditory nerve. A combined loss occurs when all organs of hearing as described are affected.

2. Hard of Hearing. A hearing impairment, whether permanent or fluctuating, which adversely affects a child's education performance but which is not included under the category of "deaf" in this section.

B. CLASSIFICATION GUIDELINES:

Classification procedures for purposes of determining appropriate educational placement shall be those which will insure that instrumentation and administration be of a nondiscriminatory nature racially and culturally.

In order to provide a comprehensive view of the child's strengths and weaknesses from the perspective of the school, home and community, the evaluation procedures shall be multifactored and multisourced. No single procedure shall be used as the sole criteria for placement and/or programming.

Decisions related to the child's placement and education program will be based on the outcome of an evaluation placement team effort. This team shall be constituted of the following members:

1. A representative of the local education agency, other than the child's teachers, who is qualified to provide or supervise the provision of special education.

2. The child's teacher or teachers, special or regular, or both, who have a direct responsibility for implementing the child's individualized education program.

3. One or both of the child's parents.

4. Where appropriate, the child.

5. Other individuals at the discretion of the parent or agency.

C. EDUCATIONAL EVALUATION GUIDELINES

Any classification of student for education purposes should consist of a description of the type of education programs and services needed by each child to learn to the fullest extent possible in the least restrictive environment.

Educational placement must be appropriate to the needs of each child according to an individualized education program (IEP).

The evaluation/classification team shall be constituted as described in Rule II.C & D for purposes of initial evaluation procedures; placement decision as well as ongoing planning and decision making will be made by the IEP team, as described in Rule III.A & B.

Assessment information on the child should include that of language growth and development, speech intelligibility, auditory functioning, academic achievement, social development, psychomotor development, emotional and psychological development.

Quantitative measurements in decibels, discrimination scores, or by the qualitative terms of type of hearing loss, site of lesion, etc., must be considered only as important parameters in the diagnostic and educational process. Each child's potential must be assessed individually on the basis of not only degree of loss or type of loss but age of onset, intelligence, personality, age when education begins, quality of teaching, attitudes of family, school and community, a multitude of physiological and environmental conditions must be considered. Caution is advised in identifying, diagnosing and evaluating hearing impairments. The child study team must be aware of delimiting definitions to avoid rigid classification and stereotyping in the education placement of each hearing impaired child.

The results of this assessment should be expressed in terms of the child's strengths and needs. The assessment should be comprehensive, using a full range of available instrumentation and observations of behavior including personal case histories, diagnostic tests and other appropriate formal and informal measurements.

1. Areas of Evaluation

a. Audiological Evaluation

(1) Audiometric including:

(a) Puretone audiometric testing yielding air and bone thresholds.

(b) Aided threshold evaluations.

(c) Speech audiometric tests yielding speech discrimination scores and speech reception thresholds.

(d) Impedance audiometry.

(e) Proper fitting and follow-up of hearing aids.

(f) Brainstem or other audiometric testing, as needed.

(2) Auditory Functioning including:

(a) Awareness

(b) Attention

(c) Localization

(d) Listening Skills

(e) Discrimination

(f) Memory

(g) Otoimmittance

b. Psychological Evaluation

Whenever intelligence tests are administered, steps should be taken to assure that the I.Q. scores, per se, will not be used in making inferences about the child's level of intelligence or learning potential; instead the full test (including protocols, content, subtests, etc.) should be interpreted by qualified personnel.

c. Language Evaluation

Language growth and development (signed, spoken, or written) includes:

(1) Standardized or other objective tests

(2) Subjective reports by teachers, parents and other appropriate persons

(3) Samples of child's sign language skills

(4) Samples of child's spoken language (taped)

(5) Samples of child's written creative composition

(6) Speech reading, as applicable

d. Speech Evaluation

Speech intelligibility includes:

(1) Phonetic evaluation

(2) Suprasegmental features (vocalization, vocal duration, vocal intensity, vocal pitch)

(3) Articulation of segmental features (vowels, diphthongs, consonants, blends)

e. Psycholinguistic Evaluation (vocalizations as above within linguistic structure)

f. Evaluation of Academic Achievement

(1) Standardized diagnostic evaluations

(2) Nonstandardized informal group and/or individual evaluations

g. Evaluation of Social and Emotional Development

An assessment should be made of the child's adaptive behavior in the school setting. Information should include:

(1) The child's adaptive behavior in the home, community, neighborhood and school as perceived by his parents and teachers

(2) The sociocultural background of the family

(3) The child's health and developmental history

h. Evaluation of Psychomotor Development

(1) Standardized diagnostic evaluations

(2) Nonstandardized informal evaluations

In using these assessment procedures constant attention should be focused on the possibility of learning problems other than those caused by loss of hearing.

A child may appear to have a hearing loss, when in actuality he has a central nervous system impairment. A central nervous system impairment results from a dysfunction along the pathways of the brain from the brain stem to and including the cerebral cortex. This impairment may be highly complex and frequently involves the symbolic processes of the mind in terms of receptive and expressive language. This condition may exist with or without an accompanying hearing loss. Every effort should be made to identify the child with such an impairment in order to identify and create programs that will meet his more complex needs.

2. Support Personnel and Services

Sufficient and appropriate support personnel and services should be made readily available in all educational placements. These should include, but not be limited to:

a. Resource, itinerant and/or classroom teachers

b. Audiological services, including impedance, tympanogram analysis, hearing aid analysis and periodic re-evaluations of hearing aid settings, diagnosis of aid or other malfunctions. This should also include an effective program of hearing aid monitoring.

c. Communication Disorders Specialists

d. Social workers, counselors, psychologists

e. Health services

f. Oral or manual interpreters

g. Note takers and tutors

IX. CATEGORY: HEARING IMPAIRED - DEAF

A. DEFINITION:

1. Hearing Impairment. A hearing impairment is a generic classification of hearing loss including the terms "deaf" and "hard of hearing."

   Hearing loss limits the transmission of sound signals through the human organs of hearing. It includes a conductive or senorineural loss or combination thereof. A conductive loss results when sound pressure waves are obstructed in the outer or middle ear. A sensorineural loss results when there is damage to the cochlea or auditory nerve. A combined loss occurs when all organs of hearing as described are affected.

2. Deaf. A hearing impairment so severe that the child is limited in processing linguistic information through hearing which can adversely affect educational performance.

B. CLASSIFICATION GUIDELINES:

Classification procedures for purposes of determining appropriate educational placement shall be those which will insure that instrumentation and administration be of a nondiscriminatory nature racially and culturally.

In order to provide a comprehensive view of the child's strengths and weaknesses from the perspective of the school, home and community, the evaluation procedures shall be multifactored and multisourced. No single procedure shall be used as the sole criteria for placement and/or programming.

Decision related to the child's placement and education program will be based on the outcome of an evaluation placement team effort. This team shall be constituted of the following members:

1. A representative of the local education agency, other than the child's teachers, who is qualified to provide or supervise the provision of special education.
2. The child's teacher or teachers, special or regular, or both, who have a direct responsibility for implementing the child's individualized education program.
3. One or both of the child's parents.
4. Where appropriate, the child.
5. Other individuals at the discretion of the parent or agency.

C. EDUCATIONAL EVALUATION GUIDELINES:

Any classification of students for education purposes should consist of a description of the types of education programs and services needed by each child to learn to the fullest extent possible in the least restrictive environment.

Educational placement must be appropriate to the needs of each child according to an individualized education program (IEP).

The child study team shall be constituted, as prescribed above for purposes of initial evaluation procedures and placement decisions as well as for ongoing planning and decision making.

Assessment information on the child should include that of language growth and development, speech intelligibility, auditory functioning, academic achievement, social development, psychomotor development, emotional and psychological development.

Quantitative measurements in decibels or percentages, discrimination scores, or by the qualitative terms of type of hearing loss, site of lesion, etc., must be considered only as important parameters in the diagnostic and education process. Each child's potential must be assessed individually on the basis of not only degree of loss or type of loss but on age of onset, intelligence, personality, age when education begins, quality of teaching, attitudes of family, school and community, a multitude of physiological and environmental conditions must be considered. Caution is advised in identifying, diagnosing and evaluating hearing impairments. The child study team must be aware of delimiting definitions to avoid rigid classification and stereo typing in the education placement of each hearing impaired child.

The results of this assessment should be expressed in terms of the child's strengths and needs. The assessment should be comprehensive, using a full range of available instrumentation and observations of behavior including personal case histories, diagnostic tests and other appropriate formal and informal measurements.

1. Areas of Evaluation

    a. Audiological Evaluation

        (1) Audiometric including:

            (a) Puretone audiometric testing yielding threshold results

            (b) Aided threshold evaluations yielding aided threshold results

            (c) Speech audiometric tests yielding speech

67

- (d) Discrimination scores and speech reception thresholds
- (e) Proper fitting and follow-up of hearing aids

(2) Auditory Functioning, which may include:

- (a) Awareness
- (b) Attention
- (c) Localization
- (d) Discrimination
- (e) Memory
- (f) Brainstem evoked response
- (g) Otoimmittance

b. Psychological Evaluation

Whenever intelligence tests are administered, steps should be taken to assure that the I.Q. scores, per se, will not be used in making inferences about the child's level of intelligence or learning potential; instead, the full test (including protocols, content, subtests, etc.) should be interpreted by qualified personnel.

c. Language Evaluation

Language growth and development (signed, spoken) includes:

- (1) Standardized or other objective tests
- (2) Subjective reports by teachers, parents and other appropriate persons
- (3) Samples of child's sign language skills
- (4) Samples of child's spoken language (taped)
- (5) Samples of child's written creative composition

d. Speech Evaluation

Speech intelligibility includes:

- (1) Phonetic evaluation
- (2) Suprasegmental features (vocalization, vocal duration, vocal intensity, vocal pitch)

(3) Articulation of segmental features (vowels, diphthongs, consonants, blends)

e. Psycholinguistic Evaluation (vocalizations as above within linguistic structure)

f. Evaluation of Academic Achievement

(1) Standardized diagnostic evaluations

(2) Nonstandardized informal group and/or individual evaluations

g. Evaluation of Social and Emotional Development

An assessment should be made of the child's adaptive behavior in the school setting. Information should include:

(1) The child's adaptive behavior in the home, community, neighborhood and school as perceived by his parents and teachers

(2) The sociocultural background of the family

(3) The child's health and developmental history

h. Evaluation of Psychomotor Development

(1) Standardized diagnostic evaluations

(2) Nonstandardized informal evaluations

In using these assessment procedures, constant attention should be focused on the possibility of learning problems other than those caused by loss of hearing.

A child may appear to have a hearing loss when in actuality he has a central nervous system impairment. A central nervous system impairment results from a dysfunction along the pathways of the brain from the brain stem to and including the cerebral cortex. This impairment may be highly complex and frequently involves the symbolic processes of the mind in terms of receptive and expressive language. This condition may exist with or without an accompanying hearing loss. Every effort should be made to identify the child with such an impairment in order to identify and create programs that will meet his more complex needs.

2. Support Personnel and Services

Sufficient and appropriate support personnel and services should be made readily available in all educational placements. These should include, but not be limited to:

a. Resource, itinerant and/or classroom teachers

b. Audiological services, including tympanogram analysis, hearing aid analysis and periodic re-evaluations of hearing aid settings, diagnosis of aid or other malfunctions. This should also include an effective program of hearing aid monitoring.

c. Social workers, counselors, psychologists

d. Health services

e. Oral or manual interpreters

f. Note takers and tutors

X. CATEGORY: BEHAVIOR DISORDERED

A. DEFINITION:

A behavior disordered student is defined as one whose behavior or emotional conduct over time adversely affects his/her educational performance and requires special education services.

Behavior disordered is here used as a generic term covering many long or outstanding types of behavior difficulties which adversely affect educational performance, including the terms behaviorally handicapped, severely emotionally disturbed, and emotionally handicapped. The term does not include students who are socially maladjusted, unless it is determined that they are seriously emotionally disturbed.

B. CHARACTERISTICS AND SEVERITY DESCRIPTORS:

Characteristics commonly noted in behavior disordered students emphasize the following behaviors: Asocial/Aggressive; Inadequate/Immature; Psychological Disturbance/Personality Problems. Severity descriptors of these characteristics are given in the following examples.

1.	Asocial	Aggressive
Examples of Problem Areas:	This student gets into fights or quarrels more often than other students do.	This student behaves in ways which are dangerous to others and self.
Severe	Bullies others--hurts another student often. Initiates and encourages fights regularly. Mocks and spits at teachers, laughs at authority. Severely non-compliant.	Is sadistic and cruel to students and animals. Carries weapons and threatens violence. Hurts others often. Self-mutilating behavior. Fire setting.
Moderate	Fights regularly, acts tough. Must have own way or sulks. Teases others but stops short of fighting and quarreling. Hostile.	Runs, hits, grabs, pushes, jumps on people and is aggressive and uncontrolled. Is caustic. Acts impulsively. Deliberately disobeys safety rules. Destroys property often.
Mild	Doesn't pick fights but is regularly involved in them. Has many enemies	Is careless about using or moving equipment. Hurts others by playing too rough.

	from teasing. Not liked. Won't follow rules on playground. Kicks the ball away if doesn't get his/her way.	Very hyperactive on holidays and special occasions.

2.	Inadequate	Immature
Examples of Problem Areas:	This student makes inappropriate responses during normal school activities.	This student has no enthusiasm for school and does not respond to or maintain interest in learning tasks.
Severe	Often has temper tantrums. Cries easily, often frustrated and angered by other children and circumstances. Extremely sensitive. Extremely fearful.	Has a poor attitude toward school. Is interested only in play. Is far behind in all work and appears to have given up.
Moderate	Often talks or acts "babyish" when he/she needs help from the teacher. Will not assume responsibility, always blames other students. Lies to parents about treatment at school.	Has only a superficial interest in school. Seldom finishes assignments. Parts of assignments done sloppily, few correct answers but can do them correctly on a one-to-one basis.
Mild	Emits high shrill laughter, for no apparent reason. Out of seat constantly. Stares into space, daydreams. Talks out.	Is rather slow, finishes work with help. Often loses interest and has to be put back on task.

3.	Psychological Disturbance	Personality Problems
Examples of Problem Areas:	This student becomes sick or upset or may stay home from school when faced with a difficult situation.	This student seems unhappy or depressed.
Severe	Has frequent absences, tardiness and upset stomachs during normal school situations. Cries or complains of illness during normal tasks. Psychosomatic symptoms.	Totally withdrawn. Scowls and whines about everything. Cries daily. Extremely apathetic, mute.

	Laughs or cries inappropriately. Ex: crying when class has a party.	
Moderate	Might choose to stay home in the afternoon if the morning has been difficult. This student often stays home when something new is to be introduced.	Is a constant worrier. Is ill-at-ease and self-deprecating. Alone mostly. Never initiates interaction.
Mild	Is very quiet, becomes agitated and fearful when called on to answer a question. Makes excuses of sickness or injury to escape certain school activities.	Is very quiet but participates spontaneously. Responds to schools without joy or displeasure. Unhappy. Has few friends.

C. SUGGESTED SERVICE OPTIONS AND THE LEAST RESTRICTIVE ENVIRONMENT:

Generally, the mild-to-moderate behavior disordered student benefits from service to a combination of the regular and resource teacher or related services personnel in the regular class setting. These students should be carried on the resource teacher's roll book. Service options are explained in Table A of these Rules and Regulations. The moderate-to-severe student usually makes behavior changes by extended resource or self-contained service.

D. CLASSIFICATION GUIDELINES:

A complete formal and informal evaluation covering psycho-social-educational areas is required before classification as behavior disordered. One member of this team, in addition to the requirements for the composition of the team (See Rules II.D.1. and III.B.) must be a certified school psychologist, a licensed psychologist, a psychiatrist, a certified school counselor, a certified teacher of the behavior disordered, or a certified social worker.

Since many handicapped students have a secondary or overlying emotional problem, it will be necessary, before classifying a student as primarily behavior disordered, to determine that:

1. The student is not behaving as a behavior disordered student because of vision or hearing impairment.

2. The student is not primarily identified as manifesting one of the other handicapping conditions described in these Rules and Regulations.

E. ASSESSMENT FOR CLASSIFICATION:

1. Every student classified as behavior disordered will have documentation in his/her records regarding each of the following areas:

   a. Educational behavior

   b. Adaptive/social behavior

   c. Disclaimers for other handicaps including intellectual impairment

   Note: These disclaimers can be managed through statements in the cumulative records, interviews and class observation assessment. Many behavior disordered students have been found to have vision and hearing problems, particular emphasis should be placed on dealing with this issue. See the list below for further information.

2. Required Areas of Assessment

   a. Educational Behavior

   Types of information which may be included.

   .. classroom observation
   .. informal assessments
   .. teacher checklists
   .. teacher interviews
   .. cumulative records
   .. achievement scores

   b. Adaptive/Social Behavior

   Types of information which may be included.

   .. classroom behavior observation
   .. child's past and present patterns of interaction with peers, family, teachers, adults, etc.
      - teacher inventories
      - teacher checklists
      - family interviews
      - child interview
      - sociometric devices
      - interaction scales
   .. adaptive behavior functioning
   .. survival skills in community, home, school
      - parent interview
      - court records
      - anecdotal records
      - adaptive behavior scales

74

c. Disclaimers

Types of information which may be included:

- .. other handicaps
- .. intellectual impairment
- .. vision and hearing

Many assessment instruments address issues across adaptive and social areas. The list below is only suggestive and should be used as a guide. Be sure the scale or checklist is for the age of the student you are assessing. More than one scale, checklist, or test should be used in a complete assessment for classification.

Adaptive/social Behavior Scales and Checklists

Use of Behavior Observations Techniques i.e., behavior base lines, frequency measures as in Precision Teaching pinpointing of behavior, etc.

Achenbac Child Behavior Profile, National Institute of Mental Health
Adaptive Behavior Scales, ages 3-12, ages 13-adult, American Association for Mental Deficiency
Burks Behavior Rating Scales, preschool, kindergarten, grades 1-8, Arden Press
California Psychological Inventory, ages 3-adult, Consulting Psychologists Press
Chapin Social Insight Test, ages 13-adult, Consulting Psychologists Press
Devereux Adolescent Behavior Rating, ages 13-18, Devereux Foundation Press
Devereux Child Behavior Rating Scale, ages 8-12, Devereux Foundation Press
Fundamental Interpersonal Relations Orientation-Behavior (FIRO-B), grades 9-16, Consulting Psychologists Press
Jesness Inventory, Adolescent ages, Consulting Psychologists Press
Personality Inventory for Children, ages 6-18, Western Psychological Services
Peterson and Quay Behavior Problem Checklist
Piers-Harris, Self Concept Scale for Children, American Guidance Service
Pupil Behavior Rating Scale, grade K-3, grades 3-7, Publisher's Test Service
School and Behavior Checklist, Western Psychological Services
Tennessee Self-Concept Scale, ages 12 and over, Counselor Recordings and Tests
Vineland Social Maturity Scale, ages 3-adult, American Guidance Service
Walker Problem Behavior Checklist, grade 4-6, Western Psychological Services

APPENDIX B

HOMEBOUND AND HOSPITALIZED SERVICE PATTERN FOR HANDICAPPED STUDENTS

APPENDIX B

HOMEBOUND AND HOSPITALIZED
SERVICE PATTERN
FOR
HANDICAPPED STUDENTS

I. Definition:

This program is an instructional program designed for identified handicapped students who are permanently or temporarily homebound or hospitalized.

II. Classification Guidelines:

The student must be identified and classified according to one of the ten handicapping conditions as described in the Rules and Regulations for Education Programs for the Handicapped. Diagnosis or classification of the student as belonging in one of the ten handicapping conditions follows one of the approved rules and regulations for diagnosing and evaluating according to that handicapping condition. (See Appendix A) The student must have an expected absence of at least two weeks.

III. Educational Evaluation Guidelines:

Guidelines for educational evaluation of students according to the ten categories of handicapping conditions will prevail when considering students to be served through the homebound and hospitalized program. Procedures and tests appropriate to determine the educational prescription (IEP) for each student will be used by, or be available to, the teacher of the homebound/hospitalized. The service pattern has two forms:

A. Service to the identified handicapped student for whom the homebound or hospitalized service mode is determined to be the necessary service pattern. The student is a handicapped child, according to one of the ten handicapping conditions described by the State Board of Education; and it is determined that the educational needs must be met in a home or a hospital setting, at least on a long term basis.

B. The identified handicapped student who, for reasons of health, accident, or injury, is temporarily homebound or hospitalized. The teacher of the homebound/hospitalized should maintain contact with the teacher of the handicapped and/or the regular classroom teacher who has been serving the student in the school setting.

APPENDIX C

SAMPLE FORMS FOR REQUIRED INFORMATION

A. Minimum Contents Check List

B. Referral Form

C. Parental Permission for Evaluation Form

D. Multidisciplinary Team Report

E. Learning Disabilities Written Report

F. IEP Form

G. Parental Permission for Placement

H. Record of Access

I. Parental Release of Record (where applicable)

J. Other Agency Release of Record (where applicable)

K. Notification of Parents' Rights

L. Medical Reports for Evaluation/Classification Team (where applicable)

STUDENT FILE

MINIMUM CONTENTS

CHECK LIST

		Legal Citation	Date Obtained
1.	Referral Form	State R/Rs II.B.	
2.	Parental Permission for Evaluation	II.C.	
3.	Documentation of Classifictaion	II.C. & D.	
4.	Written Report (L.D. Students)	Appendix A: L.D.	
5.	IEP Form	III.A.	
6.	Parental Permission for Placement	III.E.1.	
7.	Record of Access	Fed. Register 300.563	
8.	Parental Release of Record (where applicable)	300.571	
9.	Other Agency Release of Record (where applicable)	300.571	

SAMPLE B

REFERRAL FORM

USE ESTABLISHED FORM OF DISTRICT

80

SAMPLE C

SPECIAL EDUCATION

PARENTAL PERMISSION FOR EVALUATION FORM

Dear ______________________________ Date: ______________________

At the request of ______________________________, ______________________________, we are seeking your permission to carry out a
(Name) (Title)

more detailed evaluation of your child. Areas of assessment, instruments and purposes are indicated below:

Intellectual (check) ______ Instrument(s): ______________________ Purpose(s): ______________________

Educational ______ Instrument(s): ______________________ Purpose(s): ______________________

Social-Emotional ______ Instrument(s): ______________________ Purpose(s): ______________________

Adaptive ______ Instrument(s): ______________________ Purpose(s): ______________________

Psycho/Motor ______ Instrument(s): ______________________ Purpose(s): ______________________

Audiometric ______ Instrument(s): ______________________ Purpose(s): ______________________

Language ______ Instrument(s): ______________________ Purpose(s): ______________________

Speech ______ Instrument(s): ______________________ Purpose(s): ______________________

Observation ______ Location(s): ______________________ Purpose(s): ______________________

Other ______ Instrument(s): ______________________ Purpose(s): ______________________

NOTE: The reverse side of this form must be completed also.

You do have the right to refuse permission for this evaluation. If you do so the school may request a conference with you to present its reasons and to seek your approval.

You also have the right upon your request to review all of your child's school records and to be informed of the results of the evaluation in a scheduled conference with school personnel.

Your child's educational status will not be changed as a result of this evaluation without your prior knowledge and written approval. For further information see the parent's brochure entitled, "37,000 and 1 Reasons for Reading This Brochure . . . The 1 May Be Yours".

If you have any questions please contact: ______________________________ Phone: ____________.
Please return this letter with your signature at the earliest possible date. Thank you.

____
(Child's Name) (Birthdate) (School)

☐ I hereby authorize the evaluation requested for my child. ______________________________
(Signature of Parent or Guardian) (Date

☐ I do not authorize the evaluation requested for my child. ______________________________
(Signature of Parent or Guardian) (Date

SAMPLE D

________SCHOOL DISTRICT
MULTIDISCIPLINARY TEAM REPORT

STUDENT'S NAME__________________________________SCHOOL_____________________________

DATE_____________________ AGE_____GRADE_____________________________

○ The Multidisciplinary Team has reviewed the evaluation results and find there is no handicapping condition, and no special services are required at this time.

○ The Multidisciplinary Team finds the above named student eligible to receive special education services for the handicapped based on Utah State definitions of handicapping category, criteria and appropriate evaluation procedures.

Handicapping Condition(s): Primary______________________________
Secondary____________________________

Data basis for making the determination: (Data attached with clinician's reports.)

a. Hearing Acuity was found to be within normal limits: ○ Yes ○ No
Right: dB Left: dB

b. Visual Acuity was found to be within normal limits after correction in the better eye ○ Yes ○ No
Right: Left:

c. There are educational significant physical or medical problems. ○ Yes ○ No

d. Student's intellectual functioning was found to be within normal limits. ○ Yes ○ No
Instruments used to assess and results:______________________________

e. The child is primarily learning disabled. ○ Yes ○ No
Instruments used:______________________________________

f. The child is primarily emotionally/behaviorally disabled. ○ Yes ○ No
Instruments used:______________________________________

g. Deficiency between ability and achievement is primarily the result of environmental, cultural or economic disadvantage. ○ Yes ○ No

Relevant behavior noted during the observation and the relationahip of that behavior to the child's academic functioning, personal independence and/or social responsibility.

Specific to Learning Disabilities: There is a severe discrepancy between achievement and ability which is caused by a disorder in one or more of the basic psychological processes which is not likely to be corrected without special education services. ○ Yes ○ No

If "Yes" name basic psychological processes affected. Instruments used and results:

Percent Retardation: Grade Placement____________________
Expected Achievement __________________________

Name	Title	Date	Consent	Dissent

(A dissent requires a separate written statement)

SAMPLE E

WRITTEN REPORT
FOR DETERMINATION OF LEARNING DISABILITY PLACEMENT
SCHOOL DISTRICT

Student: ______________________ School: ____________ Date: ________

Person doing observation: __________________ Period of time: ____________

Observation of classroom behaviors relevant to student's education functioning:
(May be a summary of statements on reverse side)

This student exhibits a minimum of 40% discrepancy between actual achievement and both grade placement and expected achievement: Yes____ No____ If yes, check appropriate area(s).

	% Discrep.	Test		% Discrep.	Test
Oral Expression	______	______	Basic Reading Skills	______	______
Listening Comprehension	______	______	Reading Comprehension	______	______
Written Comprehension	______	______	Math Calculations	______	______
			Math Reasoning	______	______

Disclaimers:

Is the severe discrepancy between ability and achievement primarily the result of:

	Yes	No	
Vision (acuity)	____	____	Date of last screening: ____________
Hearing (acuity)	____	____	Date of last screening: ____________
Motor Handicap	____	____	Basis for decision: ____________
Mental Retardation	____	____	Basis for decision: ____________
Emotional Disturbance	____	____	Basis for decision: ____________
Cultural, economic, or environmental disadvantage	____	____	Basis for decision: ____________

Note: If yes is indicated on any of the above disclaimers, the student does not qualify for service under the classification of Learning Disabilities.

Are there educationally relevant medical findings? Yes____ No____ If yes, specify:

____

Summary:

There is a severe discrepancy between ability and academic achievement. Yes____ No____

If yes, can this discrepancy be corrected without special education services? Yes____ No____

The severity of this discrepancy warrants special education placement. Yes____ No____

The above data indicates that this student has a specific learning disability. Yes____ No____

If a member of the team disagrees with this conclusion, a separate written report which presents his/her conclusions must be presented.

______________________	______________________
Parent's Signature/Date	LEA Representative's Signature/Date
______________________	______________________
Regular Teacher's Signature/Date	Team Member's Signature/Date
______________________	______________________
Resource Teacher's Signature/Date	Team Member's Signature/Date

SAMPLE E-2

SCHOOL DISTRICT
Special Education

Team Observation Report

School:______________________________ Date:__________

Name:____________________ Birthdate:__________ Grade:________

Class Observed:____________________________ Time:________

Scoring Code:

1 = Very Good   2 = Good   3 = Average   4 = Poor
5 = Very poor   NO = Not observed

							Comments:
Auditory Comprehension							
1. Ability to follow oral directions.	1	2	3	4	5	NO	____________
2. Ability to retain auditory instructions.	1	2	3	4	5	NO	____________
Spoken Language							
1. Participates in class discussions.	1	2	3	4	5	NO	____________
2. Volunteers information	1	2	3	4	5	NO	____________
3. Ability to properly sequence ideas verbally.	1	2	3	4	5	NO	____________
4. Ability to formulate and express ideas satisfactorily.	1	2	3	4	5	NO	____________
Orientation							
1. Promptness	1	2	3	4	5	NO	____________
2. Ability to begin task without help.	1	2	3	4	5	NO	____________
3. Spatial orientation (organization of work on paper, etc.)	1	2	3	4	5	NO	____________
4. Judgment of relationships.	1	2	3	4	5	NO	____________
Behavior							
1. Cooperates	1	2	3	4	5	NO	____________
2. Attending skills.	1	2	3	4	5	NO	____________
3. On task - group work	1	2	3	4	5	NO	____________
independent work	1	2	3	4	5	NO	____________
4. Completes assignments.	1	2	3	4	5	NO	____________

Team Observation Report - page 2

Name: ____________________ School: ____________________

5.	Ability to organize.	1	2	3	4	5	NO
6.	Ability to cope with new situations.	1	2	3	4	5	NO
7.	Social Acceptance.	1	2	3	4	5	NO
8.	Tactfulness.	1	2	3	4	5	NO
9.	Acceptance of responsibility.	1	2	3	4	5	NO

During the observation period:

% of time on task ____________

% of assignment completed ____________

Quality of work - accuracy ____________

Neatness ____________

General summary: ____________________

Observer: ____________________

Title: ____________________

S LE 1

SPECIAL EDUCATION
INDIVIDUALIZED EDUCATION PROGRAM

Primary Language of the Home ____________

Name **Birthdate** **School** **Grade** **Date**

A statement of the child's present levels of educational, psychological and adaptive behavior functioning including strengths and weaknesses:

Justification for placement in special education:

Review of evaluation results indicate that this child meets the criteria to receive special education services in the ______________________ category according to the Utah State Board of Education Rules and Regulations for Education Programs for the Handicapped.

Regular Classroom

I. Services within the regular classroom for the identified handicapped pupil:
- ____ **A. To the teacher**
- ____ **B. To the pupil**

____ **II. Part-time Instruction or Services (Up to ½ day out of the regular classroom)**

____ **Enrollment in Special Class (Part-time in regular class when appropriate)**

____ **Special Day School**

____ **Residential School**

____ **Hospital and Home**

A description of the extent of the child's participation in the regular classroom, including physical education activities:

Location of Services: (School or Agency)

____

Date when services will begin and anticipated length of time services will be given:

____________ ____________

NOTE: The reverse side of this form must be completed also.

I.E.P. for period ________ to ________

Mo. Day Yr. — Mo. Day Yr.

Statement of Annual Goals:	Specific Educational and/or Related Services Needed:	Name of Person(s) Responsib to Provide Services:
Goal 1.		
2.		
3.		
4.		

Short term Objectives and Mastery Criteria for the Current School Year: (Correlate with above Goals. If more space is required attach additional goal sheets.)	Special Instructional Method and/or Materials:	Date Objective was Mastered:
Goal 1. Objectives:	Goal 1.	
1.		
2.		
3.		
Goal 2. Objectives:	Goal 2.	
1.		
2.		
3.		
Goal 3. Objectives:	Goal 3.	
1.		
2.		
3.		
Goal 4. Objectives:	Goal 4.	
1.		
2.		
3.		

SIGNATURES AND TITLES OF APPROPRIATE TEAM MEMBERS: (Signatures indicate approval of this I.E.P. for time period indicated.)

(Parent) ________ Date ________ (Teacher) ________ Date ________ (Admnstrtr/Suprvsr) ________ Date ________

SCHOOL DISTRICT

INDIVIDUALIZED EDUCATION PROGRAM - IEP

SAMPLE F-2

STUDENT NAME

DATE OF BIRTH CA

SCHOOL GRADE

PRIMARY LANG: HOME STUDENT

DATE OF IEP MEETING

ENTRY DATE TO PROGRAM

PROJECTED TERMINATION DATE

SERVICES REQUIRED:

RESOURCE TIME

RES. SELF CONT. TIME

SELF-CONTAINED TIME

REG. CLASS TIME

RELATED SERV TIME

P.E. PROG.

OTHER TIME

TEAM SIGNATURES:		IEP DATE	REVIEW DATE
LEA REP			
PARENT			
RES. TEACH			
CL. TEACH			
GUID. SPEC.			
COUNSELOR			
SP/LANG CLIN.			
STUDENT			
OTHER			

JUSTIFICATION FOR PLACEMENT:

TESTS UTILIZED

CLASSIFICATION

INTELLECTUAL ASSESS.

EDUCATIONAL ASSESS.

BEHAVIORAL/ADAPTIVE ASSESS.

SPEECH/LANGUAGE ASSESS.

OTHER (WHERE APPLICABLE)

VISION HEARING

CLASSROOM OBSERVATION DONE
DATE BY WHOM

STRENGTHS: (INDICATE PRESENT LEVEL OF FUNCTIONING)

LIMITATIONS: (INDICATE PRESENT LEVEL OF FUNCTIONING)

ANNUAL REVIEW: DATE

COMMENTS/RECOMMENDATIONS

IEP - ANNUAL GOALS AND SHORT TERM OBJECTIVES	PERSONS RESPONSIBLE	OBJECTIVE CRITERIA AND EVALUATION PROCEDURES
#1. ANNUAL GOAL:		
S.T. OBJ.		
S.T. OBJ.		
S.T. OBJ.		
#2. ANNUAL GOAL:		
S.T. OBJ.		
S.T. OBJ.		
S.T. OBJ.		
#3. ANNUAL GOAL:		
S.T. OBJ.		
S.T. OBJ.		
S.T. OBJ.		
#4 ANNUAL GOAL:		
S.T. OBJ.		
S.T. OBJ.		
S.T. OBJ.		
#5 ANNUAL GOAL:		
S.T. OBJ.		
S.T. OBJ.		
S.T. OBJ.		
#6 ANNUAL GOAL:		
S.T. OBJ.		
S.T. OBJ.		
S.T. OBJ.		

SAMPLE G

PARENTAL PERMISSION FOR PLACEMENT FORM

Dear___________:

It is proposed that your child's educational program be supplemented as follows:____

____

These services are proposed for these reasons: ____________________________

____

Other alternatives that have been considered are:__________________________

____

These have been rejected on the grounds that ______________________________

____

If you are undecided about the decision to make, you may wish to consider the following:

(1) You may make a request to see the school records with the assessment data included and go over them with school personnel or -

(2) You may exercise your right to a "due process" hearing. This process requires that you make a written request for a hearing which must be completed and a decision rendered within 45 days of the request. At the hearing you may bring other representatives with you. You have the right to present evidence, you may ask questions of the school personnel and your child may attend the hearing with your approval.

You may if you so desire, obtain an independent evaluation of your child to aid you in making this decision. School personnel can help you find a resource to obtain this evaluation if you do not know where and how to obtain it.

Sincerely,

_______________ Name _______________ Title

_______________ Child's Name _______________ Date

___ I hereby authorize the proposed alternation in my child's educational program.

___ I do not authorize the proposed alternation in my child's educational program and request no further action.

___ I do not authorize the proposed alternation in my child's educational program. I would like to avail myself of option number ___ above prior to making my decision.

_______________________ Parent's/Guardian's Signature

SAMPLE H

RECORD OF ACCESS FORM

____
Name of Student

DATE	NAME OF REVIEWER AND AGENCY	REASON FOR REVIEW OF FILE

FOOTNOTE: Each educational agency or institution shall maintain a record kept with the educational records of each student which will indicate all individuals who have obtained access to the student's records. (Section 438 GEPA 1974)

This record shall be available only to parents, to the school records manager or his assistants who are delegated with custody of records or those persons authorized by law to serve as auditors of the operation of the school system.

P.L.93-380 Section 438 a 4A; SEA "Guidelines on Confidentiality and Disclosure of Education Records of Pupils" -- 1-17-75, page 7.

Portions of student's records are not to be released except through "Procedure for Release of Information."

SAMPLE I

PARENTAL RELEASE OF RECORDS FORM

______________ SCHOOL DISTRICT

Date______________

I, we, ____ give permission for ____________________________ School District, to release the following records and information they have about my son/daughter______________________________:

____

____

____

____

____

To____

____

____

____

____

Signature

____

Signature

99

OTHER AGENCY RELEASE OF RECORDS FORM

________________ SCHOOL DISTRICT

Date ____________

TO: ______________________

____

____

____

You are authorized to send a copy of the following records ______________

____

____

of my child ____________________________ to the school, ______________

____________________________, school district (address): ____________

____

____

____
Signature of Parent/Guardian

____
Address

____
City State

____
Zip

__________SCHOOL DISTRICT

SAMPLE K

____
address

RIGHTS OF HANDICAPPED CHILDREN AND YOUTHS AND THEIR PARENTS UNDER PROVISIONS OF P.L. 94-142: 121a.504(a) & (b)

Notice: (121a.504-505) Prior written notice must be provided to the parents before a public agency proposes to initiate or change or refuses to initiate or change, the identification, evaluation, or educational placement of the child, or the provision of a free, appropriate, public education.

Consent: (121a.571 & 504-505) Signed parental consent must be obtained before a child or youth is identified, evaluated or placed in a special education program and before access to a child's educational records is granted to persons not authorized by the public agency as having a legitimate interest in the child's records.

Protection in Evaluation Procedures: (121a.532) The public agency must establish procedures to assure that testing and evaluation materials and procedures utilized for the purpose of evaluation and placement of handicapped children will be selected and administered so as not to be racially or culturally biased. No single test may be used as a sole criterion for making determinations about children, and all must be validated for the purposes for which they are used, and be administered by trained personnel.

Independent Educational Evaluation: (121a.503) Parents of a handicapped child or youth have the right to obtain an independent educational evaluation of the child if the parents disagree with the public agency's evaluation. The educational evaluation must be at public expense unless the agency initiates an impartial due process hearing in which it is found that the agency's evaluation was appropriate. In that event, the independent educational evaluation would be at the parents' expense, but would be considered by the agency in decisions related to the child, and could be presented as evidence in an impartial due process hearing.

Least Restrictive Environment: (121a.550-552) A child will be placed in a special class or a separate school only when a program in a regular class with supplementary aids and services cannot meet the unique educational needs of the child. The child's placement should be as close to his or her home as possible, and, unless the child's individualized education program requires some other arrangement, the child will be educated in the school which he or she would attend if not handicapped.

Individualized Education Program (IEP): (121a.340 thru 349) Each child eligible for special education must have an Individualized Education Program (IEP) before any special education or related services are delivered. The IEP must be developed jointly by the parents and the public agency; if the parents refuse to participate in the IEP meetings, the public agency must document its attempts to involve the parents. A record of the IEP must be maintained in the public agency, and procedures must be in place to assure that the services described in the IEP are actually being delivered to the child. A copy of the IEP must be provided to the parents upon request at a cost not to exceed the actual reproduction costs.

Confidentiality, Right to Privacy, and Right to Access: (121a.560 thru 573) Parents are assured that the public agency will maintain the personally identifiable educational records of their child in confidentiality, and that only persons authorized by the public agency as having a legitimate interest in the records will have access to same. Parents are granted full and free access to all information which is collected and maintained regarding the identification, evaluation and placement of their child, and the provision of a free, appropriate, public education. Access to the records must be granted to the parents within a reasonable time following their request, not to exceed 45 days. Parents have the right to request that inaccurate or misleading information be amended or taken from their child's educational records. Should the public agency feel that the records are accurate and refuse to change them, the legal parents may request an administrative hearing. Should the decision be made to retain the records, the parents have the right to insert a statement in the records, commenting on the information in question. The parents' comments become part of the record.

Complaint Procedures: (121a.602) The State Education Agency shall review, investigate and/or act on any substantive allegations, submitted in writing, and signed, of noncompliance with the provisions of the Act by a public agency within 60 calendar days unless exceptional circumstances exist. Such allegations of substance may be made by any individual or organization. When necessary, the State Director of Special Education shall provide for an on-site investigation to determine whether violations of any federal statute or regulation have been incurred. As appropriate, the Director will then provide for negotiations to rectify any existing discrepancies or when required propose sanctions for noncompliance.

Impartial Due Process Hearing: (121a.506 thru 513) Parents are guaranteed the right to an impartial due process hearing if they disagree with the public agency's proposal to initiate or change, or refusal to initiate or change, the identification, evaluation, or educational placement of the child, or the provision of a free, appropriate, public education. If the parents disagree with the decision of the impartial hearing officer, they may request an impartial review by the state education agency; if they disagree with the state's decision, the parents have the right to bring civil action in district court. Unless the parents and school agree to a temporary program change, the child will remain in the current educational placement during the pendency of the hearing. If the impartial due process hearing involves initial placement in a public school program, the child will be admitted, with the parents' consent, pending a placement decision by the impartial hearing officer.

Note: As with rights in all areas, the rights assured parents of handicapped children and youths carry responsibilities along with them. You need to learn all you can about your child's special needs; communicate with the school personnel who serve your child; participate in the IEP meetings; keep track of your child's educational progress; cooperate by working with your child at home to strengthen what he or she is learning in school; be assertive if you must; but remember that the partnership you, as a parent, have with the school, comes from the interest both partners have in seeing that your child or youth receives a free, appropriate, public education.

I hereby certify by signature that I have been informed of my rights as a parent/guardian as stated above under provisions of Public Law 94-142.

____________________________ Parent/Guardian

____________ Date

SAMPLE L-1

PHYSICIAN'S REPORT

FOR THE I.E.P. TEAM

1. Please describe the child's historical prospective related to medical etiology.

2. What is the child's assigned specific medical diagnosis?

3. Is this child on any medication?__________If so, specify______________
   ____
   Is it necessary to supervise taking medication during the school day?___
   Details____
   ____
   What symptoms would indicate the child is not taking medication?_______
   ____
   Describe side effects, if any_____________________________________

4. Does the child have any physical limitations that should be brought to the awareness of the school program (for instance, postures to be avoided, physical activities to be avoided, foods difficult to chew, contagious diseases)?

5. Is the child scheduled for any further medical interventions? If so, what are they?

6. Has the child been referred to any other specialist and if so, for what purpose?

7. Describe any specific requirements for physically handling the child (i.e., special apparatus).

8. Describe immediate steps a teacher should follow during a medical emergency related to this disability.

9. Any known allergies (foods, medication, environmental conditions)?

10. General observations or concerns regarding this patient.

11. How does this child differ from "normal" children relative to development, behavior, or neurological involvement?

12. What are your recommendations as to how we can be supportive of this child and the family?

13. Would you like a copy of our assessment results?

14. Is there any way we can be of assistance to you in serving this child and family?

REQUEST FOR DIAGNOSTIC INFORMATION FOR SPECIAL EDUCATION

SAMPLE L-2

This form is intended to be used by schools and preschools when requesting information from professionals who have completed evaluations on the student. The section marked education is to be filled out by the requesting party and subsequent sections are to be filled out by the professionals indicated for each section.

Sent to ____________ Date of request ________ Date returned ________

Name of Student ____________ Sex ____ Birthdate ________
Parent(s) or Guardian(s) Name(s) ____________ Phone ________
Address ____________ Zip ________
School or preschool requesting information ____________
Address ____________ Zip ______ Phone ________
Contact Person ____________ Title ________ Signature ________

EDUCATOR

PURPOSE OF REQUEST Evaluation ___ Classification ___ IEP ___ Placement ___ Daily Management ___

Description of the Presenting Problem: ____________

CURRENT FUNCTIONING IN RELATIONSHIP TO NORMAL CHILDREN

Area	Above	Average	Below
Academic/Readiness	___	___	___
Adaptive Behavior	___	___	___
Emotional/behavioral	___	___	___
Language/Speech	___	___	___
Motor (fine and gross)	___	___	___
Self Help	___	___	___
Social	___	___	___

CURRENT SPECIAL EDUCATION PLACEMENT

Not Yet Placed ___
Preschool-Homebased ___
Preschool-Centerbased ___
Regular Classroom ___
Resource ___
Self-contained ___
Special Day School ___
Residential School ___
Homebound/Hospital ___

Educational Diagnosis/Classification ____________

OTHER SERVICES CURRENTLY PROVIDED BY SCHOOL

Audiology ___ Occupational Therapy ___ Psychology ___ Speech Therapy ___
Nursing ___ Physical Therapy ___ Social Work ___ Vision ___
Other (please specify) ____________

EDUCATOR

EDUCATION REQUESTS THAT THE FOLLOWING SECTIONS BE COMPLETED:
Physician ___ Vision Specialist ___ Audiologist ___ All Specialists ___ Comments and Recommendations ___

PHYSICIAN

1. What is this child's specific medical diagnoses? ____________
2. List any conditions that might interfere with school performance: ____________
3. List any known allergies (foods, medications, environmental conditions, etc.): ____________
4. Is the student taking medications? Yes ___ No ___ If yes, please fill in information below.

	(1)	(2)	(3)
Name of Medication(s)	___	___	___
Condition prescribed for	___	___	___
Dose	___	___	___
Form	___	___	___
Stop date	___	___	___

Do any of the medications need to be taken at school? Yes ___ No ___ Name of Medication(s): ____________

List significant side effects that might affect school performance: ____________

5. Does the student's condition require special equipment? Yes ___ No ___ Specify type: ____________
Should equipment be used at school? Yes ___ No ___ Limitations on use: ____________
____________ Instructions for management: ____________

6. Do any of these conditions require that school activities be limited or modifies? Yes ___ No ___, please explain: ____________

Physician's signature ____________ Date ________ Phone ________

PHYSICIAN

(Refer to questions 17 and 18, over)

This document is in draft form. Printed copies are available at no charge through the State Health Department, Handicapped Child Data Project.
44 Medical Drive, Salt Lake City, Utah 84113. Phone: 533-6031 or 533-6161.

VISION SPECIALIST

7. List any diagnosed visual problems: ___
Specify cause: ___
Age of onset: ___ Is this condition progressive? Yes ___ No ___

8. The child's corrected visual acuity is: Right eye ___ Left eye ___

9. Can the child visually track? Yes ___ No ___ Visually localize? Yes ___ No ___

10. Child's field of vision is: ___

11. Do any of these conditions interfere with the child's learning? Yes ___ No ___ Please specify: ___

Examiner's signature ___ Date ___ Phone ___

AUDIOLOGIST

12. List any diagnosed hearing problems: ___
Specify cause: ___
Age of onset: ___ Is this condition progressive? Yes ___ No ___

13. Was an audiometric test completed? Yes ___ No ___ Indicate type of loss and degree in DB:

Conductive	___	Right ear	___	Left ear	___
Sensorineural	___	Right ear	___	Left ear	___
Mixed loss	___	Right ear	___	Left ear	___

14. Was an impedence test done? Yes ___ No ___ Indicate results: Right ear ___ Left ear ___

15. Can the child:
Attend to auditory stimuli? Yes ___ No ___
Respond to auditory stimuli? Yes ___ No ___
Localize sounds ? Yes ___ No ___

16. Do any of these conditions interfere with auditory learning? Yes ___ No ___ Please specify: ___

Examiner's signature ___ Date ___ Phone ___

ALL SPECIALISTS

17. Are any diagnostic procedures or surgeries pending? Yes ___ No ___ Please specify type ___
Date ___ Instructions to the school ___

18. Please indicate reports that are available from your agency or clinic:

Dental ___
Neurology ___
Nursing ___
Nutrition ___
Occupational Therapy ___
Orthopedic ___
Physical Therapy ___
Psychology ___
Social Work ___
Speech Therapy ___
Discharge Summary ___
Staffing Summary ___
Other (please specify) ___

COMMENTS OR RECOMMENDATIONS:

In addition to filling out this form, you may wish to send a complete report of your evaluation.

Copyright Utah Department of Health, Division of Family Health Services 8/81.

This document is in draft form. Printed copies are available at no charge through the State Health Department, Handicapped Child Data Project. 44 Medical Drive, Salt Lake City, Utah 84113. Phone: 533-6031 or 533-6161.

SAMPLE L-3

UTAH STATE OFFICE OF EDUCATION & UTAH DEPARTMENT OF HEALTH

COMPREHENSIVE ASSESSMENT RECORD

FOR COMPILING AND TRANSFERRING DATA ON HANDICAPPED CHILDREN

To Parents, Preschools, Schools, Health and Social Agencies.

1. A master copy of this form should be kept in the student files and become a permanent part of the record
2. This form should be sent each time there is an exchange of information between agencies

NAME OF CHILD ______ SEX ______ BIRTHDATE ______
PARENT(S) OR GUARDIAN(S) NAME(S) ______ PHONE ______
ADDRESS ______ ZIP CODE ______
PRIMARY LANGUAGE OF THE HOME ______ OF THE CHILD ______

AGENCIES THAT HAVE WORKED WITH THIS CHILD:

AGENCY, CLINIC, PHYSICIAN OR SCHOOL	CONTACT PERSON	DATE OF SERVICE	DIAGNOSIS OR EDUCATIONAL CLASSIFICATION

HEALTH

TYPE OF EVALUATION	DATE	IMPAIRMENT YES	IMPAIRMENT NO	ADMINISTERING AGENCY	DATE	IMPAIRMENT YES	IMPAIRMENT NO	ADMINISTERING AGENCY
DENTAL								
NURSING								
NUTRITIONAL								
PHYSICIAN'S								
MEDICAL SPECIALIST ______								
______ (specify type)								

	PRIMARY DIAGNOSIS	SECONDARY DIAGNOSIS	DATE OF DIAGNOSIS	DIAGNOSING PARTY
SPECIFY ANY HANDICAP DIAGNOSED				

			DATE PRESCRIBED	PRESCRIBING PHYSICIAN
DOES A CHRONIC CONDITION EXIST THAT REQUIRES MEDICATION?	YES ___	NO ___		
	YES ___	NO ___		
	YES ___	NO ___		

			DATE PRESCRIBED	SPECIFY TYPE	PRESCRIBED BY
IS SPECIAL EQUIPMENT NEEDED?	YES ___	NO ___			
	YES ___	NO ___			
	YES ___	NO ___			

HEARING

	DATE	IMPAIRMENT YES	IMPAIRMENT NO	NAME OF SCHOOL, CLINIC OR AGENCY	DATE	IMPAIRMENT YES	IMPAIRMENT NO	NAME OF SCHOOL, CLINIC OR AGENCY
BEHAVIOR OBSERVATION								
IMPEDENCE AUDIOMETRY								
PURE TONE AUDIOMETRY								
SPEECH AUDIOMETRY								
OTHER ______								
______								
______								

VISUAL

	DATE	IMPAIRMENT YES	IMPAIRMENT NO	NAME OF SCHOOL, CLINIC OR AGENCY	DATE	IMPAIRMENT YES	IMPAIRMENT NO	NAME OF SCHOOL, CLINIC OR AGENCY
SNELLEN								
KOHS								
OTHER ______								
______								
______								

Utah Department of Health, Division of Family Health Services, 3/81

ACADEMIC/READINESS

		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY
	DATE	YES	NO		DATE	YES	NO	
ABC INVENTORY								
BEREITER-ENGLEMAN								
OTHER ____								
____								

COMMUNICATIVE

		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY
	DATE	YES	NO		DATE	YES	NO	
ARTICULATION								
EXPRESSIVE LANGUAGE								
RECEPTIVE LANGUAGE								
FLUENCY								
VOICE								
OTHER ____								
____								
____								

DEVELOPMENTAL

		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY
	DATE	YES	ON		DATE	YES	NO	
ALPERN-BOLL DEVELOPMENTAL								
BAYLEY SCALES								
BRIGANCE PRESCHOOL								
DDST								
GESELL								
McCARTHY SCALES								
OTHER ____								
____								
____								

INTELLIGENCE

		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY
	DATE	YES	NO		DATE	YES	NO	
BAYLEY								
STANFORD BINET								
WPPSI								
OTHER ____								
____								
____								

MOTOR ABILITIES

		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY
	DATE	YES	NO		DATE	YES	NO	
BENDER GESTALT								
BRUININKS OSERETSKY								
MELANI COMPARETTI								
SOUTHERN CALIFORNIA TEST								
NON-STANDARDIZED ASSESSMENT								
OTHER ____								
____								
____								

SOCIAL/EMOTIONAL/BEHAVIORAL

		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY		DELAY		NAME OF SCHOOL, CLINIC OR AGENCY
	DATE	YES	NO		DATE	YES	NO	
BURKS' BEHAVIOR RATING								
LOUISVILLE BEHAVIOR RATING								
NON-STANDARDIZED ASSESSMENTS								
OTHER ____								
____								
____								

COMMENTS

APPENDIX D

REGULATIONS GOVERNING PLACEMENT OF ELIGIBLE HANDICAPPED CHILDREN IN PRIVATE RESIDENTIAL SCHOOLS

REGULATIONS GOVERNING PLACEMENT OF ELIGIBLE HANDICAPPED CHILDREN IN PRIVATE RESIDENTIAL SCHOOLS

I. INTRODUCTION

The development of these regulations confirms the commitment of the Utah State Board of Education to the education of every handicapped child residing in the State of Utah. It is the purpose of these regulations to assure that all handicapped children, served at public expense in private residential schools, have available to them a "Free Appropriate Public Education and Related Services" designed to meet their individual needs, to assure that the rights of handicapped children and their parent(s) or guardian(s) are protected and to assist private residential schools in providing appropriate education and treatment in a safe, humane and nurturing environment. The implementation of these regulations will assure compliance with the provisions of P.L. 94-142, 20 USC 1401 et seq and Section 504 of the Rehabilitation Act of 1973, 29 USC § 794 (hereinafter referred to as the "Acts" and Regulations promulgated thereunder at 45 CFR 84 and 45 CFR 121a. hereinafter "Regulations"). [The definition of "school" in these regulations excludes institutions whose primary mission and function are to provide medical intervention and treatment.] ["Parent(s)" shall mean a natural parent or other adult authorized by law to act on behalf of an eligible handicapped child.]

No private school in Utah shall be eligible to receive any Utah Public funds for special education and related services provided eligible handicapped children unless and until such facility is certified and placed on the approved list of private residential schools or institutions. These regulations prohibit the payment of any public funds for the education of eligible handicapped children under the control of the State Education Agency or any Local

Education Agency in the State of Utah until compliance with these regulations has been achieved and the private residential school is certified and placed on a list of eligible recipients.

After initial determination of eligibility, the Utah State Office of Education shall publish and disseminate to all Local Education Agencies within Utah and State Education Agencies within the United States, a complete list of certified private residential schools within the State of Utah which comply with these regulations.

II. REGULATIONS

A. Each eligible handicapped child placed by a Utah public agency into a private residential school or who is supported by Utah public funds, shall be provided a "Free Appropriate Public Education and Related Services" as defined by the Acts and Regulations.

B. Each eligible handicapped child enrolled in a private residential school shall be provided a safe, humane, and caring residential environment. As part of providing a safe and humane environment, each approved private residential school enrolling eligible handicapped children shall:

1) prohibit corporal punishment, of all kinds, unless expressly permitted by state or federal statute or the Constitution of the United States;

2) administer stimulant, tranquilizing and psychotropic drugs to a handicapped child only with the consent of the parent(s) or guardian(s) pursuant to a prescription of a licensed physician and administered by a person authorized by law and in compliance with the Utah Medical Practices Act;

3) comply with applicable health, fire, housing, and sanitation codes relating to such private residential schools;

4) limit the isolation of handicapped children to those situations where the child is physically violent or dangerous to himself or others, or as allowed by State Board of Education "time out" procedures. Time out or isolation shall not be used for punishment;

5) require that any incident of corporal punishment, personal injury, or drug administration be entered into a central log maintained by the private residential school and made a part of the permanent record maintained on the child. Such entries must be subject to review as part of the Utah State Office of Education monitoring process;

6) refrain from modifying the individual education program of an eligible handicapped child until a formal review of such program has been conducted in accordance with the requirements of 45 CFR 121a.348-349.

C. The Utah State Office of Education shall establish and maintain a register of qualified persons to serve as a surrogate parent and shall appoint a surrogate parent from the register to serve the eligible handicapped child wherever the parent is unavailable, not known or the child is a ward of the State as required by 45 CFR 121a.514.

D. The private residential school shall conform to the privacy and confidentiality requirements required of public agencies serving the handicapped in accordance with 45 CFR 121a.560-575. The right of the parent(s) or guardian(s) to inspect the educational records of their child shall not be denied nor restricted. The private residential school shall establish appropriate procedures for the granting of a request by the parent(s) or guardian(s) for access to the education records of their child within a reasonable period; but in no case, more than forty-five (45) days after the request has been made.

E. Upon enrollment of any eligible handicapped child in a private residential school, such school shall, within ten (10) days, give written notice to the Utah State Office of Education, Special Education Section, of the name and age of the child and the name and address of the child's parents and school district or other agency referring or enrolling the child.

F. Each eligible handicapped child enrolled in a private residential school shall be provided the full civil and political rights and liberties required by the Constitution of the United States, the Constitution of the State of Utah and as required by State law and the Acts and Regulations.

G. Each eligible handicapped child enrolled in a private residential school shall be afforded free and open access to parent(s) and attorneys and reasonable access to other appropriate persons.

1) Each eligible handicapped child enrolled in a private residential school shall have unlimited and unrestrained opportunity to send mail to such persons or institutions as may be desired except that the parent(s) or legal guardian(s) of an eligible handicapped child may submit a list of persons from whom the child may not receive mail. In those instances where mail is received from persons on said list, the private residential school shall return the mail to the sender unopened.

2) The private residential school may check all incoming mail for the existence of contraband, but may not read or censor such mail.

H. Private residential schools are prohibited from using polygraph tests with eligible handicapped children.

III. MONITORING AND COMPLIANCE

The Utah State Office of Education, after initial determination of compliance with these regulations and certification, will conduct a yearly review of continuing compliance status in each private residential school subject to these regulations. The process to insure compliance will be the Program Administrative Review (PAR) used by the Utah State Office of Education, Special

Education staff, to monitor school districts' compliance with P.L. 94-142. This process will ensure that the private residential school meets the same standards that apply to the public schools of the State of Utah for providing a free appropriate education to eligible handicapped children.

Each certified private residential school shall prepare and submit to the Utah State Office of Education, an annual statement of compliance, and compliance shall be subject to periodic (not less than annual) monitoring and review by the Utah State Office of Education, with additional unannounced "drop in" monitoring to insure compliance and remediation of deficiencies. Monitoring will include:

1) review to determine compliance with the individual education program of each student;

2) review of provision for appropriate vocational education for any child whose long range educational goal is not a regular academic diploma, as determined by the Individualized Education Program team;

3) compliance with Utah State and Federal regulations relating to special education, "time out", teacher certification, etc.;

4) review of requirements for the placement and referral of handicapped children in the least restrictive alternative environment, including the least restrictive alternative environment within the private residential school as required by the regulations.

5) review of procedures to protect the civil rights and political liberties of eligible handicapped children as required by the Acts and Regulations thereunder.

The monitoring of private residential schools shall include provisions for personal interviews of handicapped children, either at the request of such children, or on the independent judgment of those employees of the Utah State Office of Education conducting the monitoring, such interviews to be held outside the presence of any and all institutional personnel, employees, agents, or attorneys.

Within thirty (30) working days of the conclusion of the monitoring visit, the Utah State Office of Education will prepare a written monitoring report which shall be treated by the Utah State Office of Education as "public data" as defined by the Utah Information Practices Act, with the provisions that all personally identifiable information pertaining to handicapped children enrolled in a private residential school or institution shall be deleted.

IV. GRIEVANCE

Within sixty (60) working days of the filing of a complaint in writing to the Utah State Office of Education by an interested person alleging a violation of any standard or regulation, the Utah State Office of Education shall re-examine the compliance determination and take any steps necessary to determine the validity of such complaint and a written report of the findings regarding the complaint shall be made.

APPENDIX E

UTAH'S SPECIAL EDUCATION LAW

Utah Code Annotated

Section 53-18-1 to 53-18-8

CHAPTER 18

EDUCATION OF HANDICAPPED CHILDREN

Title of Act. An act providing for the education of physically handicapped children between the ages of six and eighteen years; procedure; reimbursements to school districts by the state board of education; supervision by the state superintendent of public instruction, providing for the apportionment of the cost between cooperating school districts.

53-18-1. ENUMERATION OF HANDICAPPED CHILDREN--EXAMINATION. It shall be the duty of the clerk of the board of education, school enumerators, and attendance officers in every school district in this state, in accordance with rules of procedure prescribed by the state superintendent of public instruction, on or before the fifteenth day of November of each year, and thereafter, as cases arise, every handicapped child within said district of preschool age, school age, and postschool age; who, because of apparent exceptional physical or mental condition, is not being properly educated and trained; and, as soon thereafter as possible, the child shall be examined by a person certified by the district superintendent or the state board of education as a public school psychologist or psychological examiner, and a report shall be made to the state superintendent of public instruction concerning said child's special educational and training needs. These children and all persons presently being educated and trained in existing "day care centers for the handicapped" are referred to as "handicapped children."

53-18-2. APPOINTMENT OF STATE DIRECTOR OF SPECIAL EDUCATION--DUTIES OF BOARD OF EDUCATION--QUALIFICATIONS OF TEACHERS--QUALIFICATIONS AND DUTIES OF DIRECTOR. The state board of education shall provide proper education and training for all handicapped children in this state, except as provided in section 53-18-6 as re-enacted by this act.

The state board of education shall appoint a director of special education of handicapped children for the state of Utah. The state director of special education shall submit plans to the state board of education for establishing and maintaining supervision for the proper education and training of all handicapped children reported to the director for such special education and training; and except as herein otherwise provided, it shall be the duty of the board of education of all school districts, to provide and maintain from the funds of said school district, or to provide jointly and maintain with neighboring districts from the funds of each of the school districts so participating in proportionate amounts, an appropriate program of special instruction, facilities and related services for all handicapped children. The state board of education shall adopt standards and regulations relating to the diagnosis and evaluation of the handicapped children by competent professional personnel, special instruction classes and services to be provided and other appropriate guidelines which shall be followed by the local school districts. If it is not possible to provide special education for handicapped children in the public schools in the district, or in conjunction with another school district, the board of education of the district shall, except as herein otherwise provided, secure such education and training outside of the public schools of the district or provide for teaching the handicapped children in their homes in accordance with rules and regulations prescribed by the state board of education. All personnel employed to teach such children shall be either certified teachers or shall have met existing qualifications as determined for aides and instructional assistants, established by the state board of education. Personnel qualified by the division of welfare for instruction and training in day care centers for the handicapped shall be given five years from the effective date of this act within which to qualify under standards and regulations established by the state board of education.

The state director of special education shall be a specially qualified and experienced director responsible for coordinating all state programs for all handicapped children of preschool or school ages to facilitate the educational progress of such children. The director shall exercise general supervision of all programs for the handicapped children of the various school districts of the state and all public agencies and institutions concerned with the training of handicapped children. The director shall encourage and assist in organizing programs for handicapped children which shall be under the immediate administration of district boards of education or of existing state educational institutions which have been authorized for this purpose. The director of special education shall work in cooperation with private agencies concerned with the training of handicapped children.

53-18-3. REIMBURSEMENT FROM STATE BOARD--FEES AND CONTRIBUTIONS--ANNUAL APPROPRIATION. School districts maintaining special classes in the public schools, or special public schools, or providing special education for handicapped children as herein specified, shall receive reimbursement from the state board of education, so long as such classes, or such special education is approved by the state board of education as to location, constitution and size of classes, conditions of admission and discharge of pupils, equipment, courses of study, methods of instruction and qualifications of personnel, and in accordance with other regulations and standards promulgated by the state board of education from time to time. The cost of such education and training of handicapped children below age five and above age twenty-one shall be paid from fees and contributions of parents or guardians or friends of the handicapped children served. To further the purposes of this program school districts may receive contributions of money, property and services. There is hereby appropriated from the uniform school fund not to exceed eighty distribution units for fiscal year 1970 and an additional growth factor of not more than 5% each fiscal year thereafter for support of programs for the education and training of handicapped children, qualifying for service in "day care centers for the handicapped." These programs will be administered by the state board of education.

53-18-4. STATE SUPERINTENDENT TO SUPERVISE SPECIAL PROGRAMS AND SCHOOLS. The state superintendent of public instruction shall superintend the organization of such special programs and schools, and such other arrangements for special education, and shall enforce the provisions of this act.

53-18-5. PROPERTY OF DAY CARE CENTERS TRANSFERRED TO LOCAL SCHOOL DISTRICTS. All property, equipment, and supplies, identifiable as having been purchased by public funds administered through the division of welfare and located in existing day care centers for the handicapped, shall become the property of the school district in which the centers are located upon the effective date of this act and the local school board shall be responsible for all such property, equipment and supplies.

53-18-6. ATTENDANCE AT SCHOOL--CERTIFICATES OF EXEMPTION FOR HANDICAPPED CHILDREN. Handicapped children who hold valid certificates of exemption which have been issued by the local district superintendent shall be exempt from attending any school. A certificate of examption shall cease to be valid at the end of the school year in which it is issued. Certificates of exemption must result from an evaluation process conducted by an evaluation team established for that purpose by the district board of education. A certificate of exemption may be issued to a handicapped child only if the evaluation team determines that he is unstable to the extent he constitutes a potential hazard to the safety of himself or to others. A majority of the members of the evaluation team must not be employees of the school district. The evaluation team shall include at least three persons and shall include a division of health evaluation service representative, a qualified person designated by the local district superintendent, and a third qualified person skilled in the area of the handicap of the child being evaluated. The certificate of exemption is subject to review by a three-man panel appointed for that purpose by the state director of special education upon the filing of written protest by the parent or guardian within thirty days after the exemption certificate is issued.

53-18-7. DIAGNOSIS AND EVALUATION OF HANDICAPPED CHILDREN--STATE DIVISION OF HEALTH TO PROVIDE SERVICES. The state division of health shall provide diagnostic and evaluation services such as typically are not otherwise provided by local school districts, to determine the most appropriate methods in assisting handicapped children and in preparing them for adequate placement and adjustment.

53-18-8. ADVISORY COMMITTEE CREATED. There is established an advisory committee for the handicapped children consisting of one representative each from the state board of education, the state division of health, the state division of welfare, a state institution of higher learning for teacher training, a state senator, a state representative, and three citizens who are members of a national or state association interested in handicapped children; all members to be appointed by the governor. The committee shall study the needs of and recommend programs for handicapped children to the state board of education, the state division of health and the state division of welfare.

APPENDIX F

GUIDELINES
ON
CONFIDENTIALITY AND DISCLOSURE
OF
EDUCATION RECORDS OF STUDENTS

GUIDELINES
ON
CONFIDENTIALITY AND DISCLOSURE
OF EDUCATION RECORDS OF PUPILS

(Adopted - January 17, 1975)

(Revised and Adopted - August 19, 1976)

STATEMENT OF PHILOSOPHY

The task of accumulating, maintaining, and managing appropriate and meaningful information about pupils and of organizing it into a useful education records system becomes more difficult and more complex almost day by day.

Several of the issues in this area revolve around the central problem of trying to maintain a balance between the pupil's right to privacy and confidentiality and the needs and rights of the public to know and understand what is happening in the schools. From this basic problem, a number of potentially conflicting issues arise to add to the complexity.

Information about both pupils and their parents is often obtained without their informed consent. They have, therefore, little, or at best, incomplete knowledge of what information about them is contained in the record and what use is made of the information by the school.

Education records generally have not been available to the parents of a student or to an eligible student, or have been available only to a limited degree.

Procedures have not existed for parents or an eligible student to challenge allegedly erroneous information about the pupil or about the parents.

Procedures have not usually existed for the periodic review and destruction of outdated and obsolete information in the record-keeping system.

Within some school systems there have been few provisions to protect school records from examination by unauthorized personnel.

Formal policies governing access to pupil records by non-school personnel, law enforcement officials, the courts, potential employers, colleges, researchers, and others do not exist in many schools.

Sensitive and intimate information collected in the course of teacher-pupil or counselor-pupil contacts is not protected from subpoenas by formal legal authority in the State.

It is clearly recognized that these Guidelines cannot possibly deal with all of the unforeseen practical problems that will confront local districts in the implementation process. It is also quite obvious that the Guidelines will result in increased administrative and financial responsibilities, but each school district should begin to move from where it is now toward appropriate record keeping as specified in these Guidelines.

It is noted, for example, that some of the guidelines merely recommend that school personnel deal with requests for data in a more consistent manner rather than on an ad hoc basis. This could reduce the workload of school officials. On the other hand, consent procedures, security measures, and the periodic updating of pupil records may demand considerable effort on the part of school personnel. It is argued that such effort will result in increased trust in the schools on the part of pupils and parents. In view of pressures to make schools more sensitive to the needs of students, such efforts appear highly desirable.

These Guidelines are based on the Federal Register, Volume 41, No. 118, Thursday, June 17, 1976. The Regulations found in the Federal Register and the law make much of the subject matter of the Guidelines mandatory upon school districts. School district personnel are requested to familiarize themselves with the legal requirements which are not lessened by material which is only suggestive in these Guidelines.

The document is adopted by the Utah State Board of Education as a means of helping local school districts get their own pupil record systems in order and thus help to preserve the privacy that is so important to individual students.

AUTHORITY TO MAKE GUIDELINES

The State Board of Education is an official public agency charged by the Constitution and statutes of the State of Utah with the general control and supervision of the public school system; therefore, it is the prerogative and duty of the Board to establish guidelines consistent with Federal Law and Regulations to assist school districts in developing appropriate practices and procedures. Such an expression is intended to persuade and encourage but is not a mandate.

DEFINITIONS OF TERMS

1. A Parent of a Student (Pupil) or an Eligible Student (Pupil). It should be noted that in these Guidelines that each time this phrase is used the following are assumed to hold:

a. The right of privacy and confidentiality rests entirely with the pupil and not with the parents or guardian whenever the pupil is:

(1) eighteen years of age or older,

(2) attending a post-secondary educational institution,

(3) married.

b. At all other times the rights rest with the pupil and his/her parents jointly.

c. The term "parents" is also assumed to include the legal guardian of a pupil at all times in these Guidelines.

2. The term "education records of pupils" as used in these Guidelines, unless otherwise noted, includes:

a. Those records, files, documents, and other materials which are directly related to a pupil; and are maintained by an educational agency or institution, or by a person acting for such agency or institution.

The term "education records of pupils" does not include:

b. records of institutional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.

c. records which are kept solely for law enforcement purposes.

d. records of persons who may be employed by the educational agency or institution.

e. records of a student who is 18 years of age or older, or who is attending an institution of post-secondary education, which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para-professional acting in his professional or para-professional capacity, or assisting in that capacity, and which are created, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment; provided, however, that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

3. Informed Individual Consent. Written consent given under a data gathering procedure by an individual after the need for the data, the method of gathering them, and the way in which the information is to be used, have been explained to the individual.

4. Representational Consent. Consent given through the action of duly elected or appointed representatives of the people, such as a board of education in approving the use of a pupil permanent record system or in approving a standardized achievement testing program. Such consent may not be given by anyone outside the system of education.

5. Need to Know. The provision of opportunity for school personnel to inspect student records based upon their responsibility to promote the educational welfare of the student.

   Note: All guidelines apply equally to old records that have been accumulated as well as to those currently in use.

6. Guidelines. Recommendations that describe good practice and suggest procedure which ought to be taken into account in the operation of a specific program. The determination of whether or not to follow guidelines rests with those responsible for the program.

GUIDELINES STATEMENT

1. Collection of Data

a. The education records of pupils are designed for the purpose of helping the schools better know and understand the needs, interests, aptitudes, disabilities, and achievements of the individual pupil in order that educational experiences consistent with the goals and objectives of the pupil might be planned. Adequate records should also provide the pertinent basic data about the individual which are essential to intelligent decision-making throughout his/her educational experiences. Records should also facilitate the process of transfer from one educational situation to another or from education into the world of work.

b. Data collection for the education records of pupils should be either with the informed individual consent of the parent of a student or an eligible student, or with representational consent depending upon the nature of the information to be collected. (See definitions 3 and 4 above.)

Ordinarily, representational consent will be sufficient for gathering basic pupil identification information such as name, address, name of parents, telephone number, sex, and other similar data. Representational consent is also appropriate for acquiring information regarding academic progress of pupils through standardized aptitude and achievement testing and other routine assessment procedures of teachers.

On the other hand, informed individual consent should precede any program of individual personality assessment or individual psychological evaluation or the gathering of information concerning a pupil's family; such as, ethnic origins, religious beliefs, occupational data, marital status of parents, etc., or before any information not directly relevant for educational purposes is solicited from the pupil or his/her parents.

c. Where the data are to be collected for non-school purposes, whether by school personnel or by others, as in the case where it is proposed that the student population be used as subjects in medical or social science research studies, then the recommendations on informed consent in item number 3 under DEFINITIONS should be fully applied, with the further provision that prior informed consent be obtained from the responsible school authorities.

In cases where data are to be collected under conditions of anonymity, this fact alone should not relieve the collecting agency of the obligation to obtain the appropriate form of consent. School authorities should establish procedures for regulating the collection of such data; including (a) timely notification to students and their parents that their participation in any aspect of any such data collection is entirely voluntary, and (b) careful reviews of the instruments and procedures to be used for any such data collection to determine whether the methods and/or inquiries constitute a significant potential invasion of privacy. School authorities may, for example, conclude that the topics to be investigated are so intimate or likely to be so embarrassing to the students involved that an invasion of privacy will occur even under conditions of anonymity. In any such situation, prior informed individual consent should be required.

d. The basic instrument around which the education records of pupils should be built is a form of the Utah Pupil Permanent Record developed and made available through the State Board of Education. Local districts may then include whatever additional forms are required to complete their own pupil record system in keeping with these guidelines.

2. Classification of Data

The data that exist in school records usually range from highly stable information to tentative, uncorroborated reports on alleged behavior. The following categories offer a way of dealing with these differing kinds of data:

a. CATEGORY A RECORDS

Official Category A Records constitute the minimum personal data for operation of the school system. It may include, but is not necessarily restricted to:

(1) Identification Data (names, addresses of parents, guardians, siblings but not educational level or occupation of parents)

(2) Birth Place and Birthdate

(3) Race or Ethnicity (as stated by the student and/or parent, or by observation)

(4) Academic work completed and related reports of pupil progress

(5) Sex

(6) Attendance Data

(7) Honors and Activities

(8) Telephone Number

(9) Pupil Number

(10) Social Security Number (when available)

(11) Level of Achievement

    (a) Grades
    (b) Standardized achievement test scores
    (c) Grade point average

(12) Date of Graduation

(13) Photograph

(14) Standard Health Card Data

(15) Marital Status of Student

Category A Records should be maintained in perpetuity. Updating is to be done as changes occur. All data entered into this record should be dated and signed.

b. CATEGORY B RECORDS

This classification includes verified information of importance in helping the child and protecting others. The information contained in this category is not absolutely necessary to the operation of the school system, but is of a more sensitive nature and of less historical importance. These records should include two types of data, i.e., general and observational.

(1) General Data

- (a) Health information not contained on Health Card
- (b) Family background data
- (c) Standardized aptitude tests
- (d) Standardized intelligence scores
- (e) Vocational Interest Inventory
- (f) Educational and vocational plans
- (g) Unsatisfactory work slips

(2) Observational Data

- (a) Objective counselor or teacher ratings
- (b) Speech therapy records
- (c) Reading reports
- (d) Routine data about discipline
- (e) Verified reports of services or relevant behavior patterns
- (f) Suspension notices

Category B Records should be kept objective, factual, and devoid of value judgments. Care should be exercised to insure the accuracy of data. Reported behavior patterns and specific incidents should be unambiguously described and clearly verified prior to becoming a part of the record. School personnel should be aware that what they write for the record about a student, in any and all contexts, cannot be considered confidential and may be shared with the student or parent.

Data classified as Category B should be reviewed periodically; and at a minimum when a student moves from elementary school to junior high school and from junior high school to senior high school.

When a student graduates or is permanently dropped from the school roll, those portions of the Category B Records deemed to have permanent usefullness should be transferred to the Category A Record.

c. CATEGORY C RECORDS

This classification includes information of clear importance to the educational process but not absolutely necessary thereafter. These include data of a potentially useful but also of a subjective or clinical nature.

(1) Comments from teachers, counselors, or administrators concerning academic performance, behavior, or personality assessment.

(2) Reports of parent-teacher or parent-counselor conferences.

(3) All data which have been collected by a certified or licensed psychologist from any source pertaining to students who have been subject to psychological studies. These include individual I.Q. scores, reports of personality tests (both projective and non-projective), developmental histories, case studies, personal observation, and impressions based upon available data.

(4) External Agency Reports. These include confidential reports received from cooperating agencies such as child welfare, juvenile courts, and hospitals, as well as those from private practitioners who are working or have worked with the student. Agency reports do not belong to the school. They are loaned to the school to be used under conditions which are specified by the lending agency.

These reports should be kept in a secure file by the person for whom they are prepared for only such time as they are relevant to the work with a particular student. They may be shared with other certificated school personnel who have legitimate educational interests at the discretion of the person in charge. They should not be released by the school. Any decision to release information from an agency report is the responsibility and prerogative of the agency and not of the school.

Data in Category C should be reviewed annually and destroyed as soon as their usefulness is ended.

d. CONFIDENTIAL, PERSONAL FILES OF PROFESSIONALS

There is a fourth group of materials which includes such things as:

(1) Anecdotal notes

(2) Clinical diagnoses

(3) Transcripts of interviews, and

(4) Other memory aids collected by professionals (administrators, counselors, psychologists, social workers, and teachers) for their own use in counseling pupils.

Any and all data that are considered to be the personal property of the professional should be handled in a manner that is consistent with the ethics of the profession and in the light of any special arrangements between the employing school system and the professional or between the individual professional and the parents of the student or the eligible student. (See definition number 2 b on "education records of pupils," page 3.)

records is consistent with the Superintendent's statutory power and responsibility.

(2) Authorized representatives of:

(a) the Comptroller General of the United States,
(b) the Secretary of Health, Education, and Welfare,
(c) an administrative head of an educational agency, or
(d) state educational authorities,

when such access "may be necessary in connection with the audit and evaluation of federally-supported education programs, or in connection with the enforcement of the federal legal requirements which relate to such programs: Provided, That, except when collection of personally identifiable data is specifically authorized by federal law, any data collected by such officials with respect to individual students shall not include information (including social security numbers) which would permit the personal identification of such students or their parents after the data so obtained have been collected."

All such persons should have signed the record of access indicating date and purpose of the inspection.

e. No other person, agency, or institution should have access to education records of pupils except under the following conditions:

(1) With written consent from the parents of a student or an eligible student. This written consent should specify the records to be released and to whom they are to be released. Each request for consent should be made separately. No blanket permission for examination should be allowed. A copy should be provided to the parents of a student or an eligible student if requested.

(2) In compliance with judicial order or pursuant to any lawfully issued subpoena. Parents or an eligible student should be notified of all such orders prior to the school's compliance.

(3) In an emergency situation when the parents or eligible student cannot be reached, the principal or superintendent may at their discretion release information as needed for the health and/or safety of individuals.

(4) When data for outside research purposes are released in such a form that no individual student is identifiable.

f. Requests for information from sources not specifically identified in these guidelines should be processed in accordance with safeguards established by the school district or the school under the direction of a district administrator.

g. In the course of processing a request for information, a reasonable doubt on any aspect of the request or concern about the authorization to process the request should be deemed sufficient reason for the records manager to act in a prudent manner and to withhold all or part of the information until such time as the question is resolved.

5. Maintenance of Education Records of Pupils

It is crucial that student records contain accurate current data. This means that provisions should be made for careful entry of new material and the removal and destruction of that which is no longer appropriate. The following guidelines should be helpful in this area:

a. Category A Records: Should be maintained by the school on each enrolled student. This record should be permanent and maintained by the school for an indefinite period. It would be highly desirable if this part of the record could be kept in duplicate with one set on microfilm kept in a locked fireproof file or vault. The school system should have a central filing location for all records of students who have left the system. (State Board of Education policy requires that Category A records be maintained on each enrolled student for an indefinite period.)

b. Category B Records: School systems should give serious consideration to the elimination of unnecessary Category B data at periodic intervals; for example, at points of transition from elementary to junior high school and from junior high school to senior high school. In any case, these records should be destroyed within five years after the student leaves, transfers, or graduates from school. Exceptions may be made where, under vigorous standards and impartial judgments, good cause can be shown for their retention under conditions of anonymity (for research purposes).

c. Category C Records: Should be reviewed at least once a year and destroyed as soon as their usefulness is ended; or transferred to Category B classification. Transfer to Category B should be made only under two conditions; namely: (1) continued usefulness of the information is clearly demonstrated, and (2) its validity has been established, in which case parents should be notified and the nature of the information explained.

If for any reason Category C data are held for more than a year, the existence of these data should be discussed with parents of a student or an eligible student, and the reason for their maintenance explained. Parents of an eligible student should have the opportunity to challenge the decision to maintain such data through procedures outlined in these Guidelines. (See Disclosure and Dissemination of Education Records of Pupils, page 10) records is consistent with the Superintendent's statutory power and responsibility.

(2) Authorized representatives of:

(a) the Comptroller General of the United States,
(b) the Secretary of Health, Education, and Welfare,
(c) an administrative head of an educational agency, or
(d) state educational authorities,

when such access "may be necessary in connection with the audit and evaluation of federally-supported education programs, or in connection with the enforcement of the federal legal requirements which relate to such programs: Provided, That, except when collection of personally identifiable data is specifically authorized by federal law, any data collected by such officials with respect to individual students shall not include information (including social security numbers) which would permit the personal identification of such students or their parents after the data so obtained have been collected."

All such persons should have signed the record of access indicating date and purpose of the inspection.

e. No other person, agency, or institution should have access to education records of pupils except under the following conditions:

(1) With written consent from the parents of a student or an eligible student. This written consent should specify the records to be released and to whom they are to be released. Each request for consent should be made separately. No blanket permission for examination should be allowed. A copy should be provided to the parents of a student or an eligible student if requested.

(2) In compliance with judicial order or pursuant to any lawfully issued subpoena. Parents or an eligible student should be notified of all such orders prior to the school's compliance.

(3) In an emergency situation when the parents or eligible student cannot be reached, the principal or superintendent may at their discretion release information as needed for the health and/or safety of individuals.

(4) When data for outside research purposes are released in such a form that no individual student is identifiable.

f. Requests for information from sources not specifically identified in these guidelines should be processed in accordance with safeguards established by the school district or the school under the direction of a district administrator.

g. In the course of processing a request for information, a reasonable doubt on any aspect of the request or concern about the authorization to process the request should be deemed sufficient reason for the records manager to act in a prudent manner and to withhold all or part of the information until such time as the question is resolved.

5. Maintenance of Education Records of Pupils

It is crucial that student records contain accurate current data. This means that provisions should be made for careful entry of new material and the removal and destruction of that which is no longer appropriate. The following guidelines should be helpful in this area:

a. Category A Records: Should be maintained by the school on each enrolled student. This record should be permanent and maintained by the school for an indefinite period. It would be highly desirable if this part of the record could be kept in duplicate with one set on microfilm kept in a locked fireproof file or vault. The school system should have a central filing location for all records of students who have left the system. (State Board of Education policy requires that Category A records be maintained on each enrolled student for an indefinite period.)

b. Category B Records: School systems should give serious consideration to the elimination of unnecessary Category B data at periodic intervals; for example, at points of transition from elementary to junior high school and from junior high school to senior high school. In any case, these records should be destroyed within five years after the student leaves, transfers, or graduates from school. Exceptions may be made where, under vigorous standards and impartial judgments, good cause can be shown for their retention under conditions of anonymity (for research purposes).

c. Category C Records: Should be reviewed at least once a year and destroyed as soon as their usefulness is ended; or transferred to Category B classification. Transfer to Category B should be made only under two conditions; namely: (1) continued usefulness of the information is clearly demonstrated, and (2) its validity has been established, in which case parents should be notified and the nature of the information explained.

If for any reason Category C data are held for more than a year, the existence of these data should be discussed with parents of a student or an eligible student, and the reason for their maintenance explained. Parents of an eligible student should have the opportunity to challenge the decision to maintain such data through procedures outlined in these Guidelines. (See Disclosure and Dissemination of Education Records of Pupils, page 10)

APPENDIX G

FEDERAL REGULATIONS
ON
PROCEDURAL SAFEGUARDS

132

Subpart E—Procedural Safeguards

DUE PROCESS PROCEDURES FOR PARENTS AND CHILDREN

300.500 Definitions of "consent", "evaluation", and "personally identifiable".

As used in this part: "Consent" means that: (a) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;

(b) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) which will be released and to whom; and

(c) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.

"Evaluation" means procedures used in accordance with §§ 121a.530–121a.534 to determine whether a child is handicapped and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively with an individual child and does not include basic tests administered to or procedures used with all children in a school, grade, or class.

"Personally identifiable" means that information includes:

(a) The name of the child, the child's parent, or other family member;

(b) The address of the child;

(c) A personal identifier, such as the child's social security number or student number; or

(d) A list of personal characteristics or other information which would make it possible to identify the child with reasonable certainty.

(20 U.S.C. 1415, 1417 (c).)

300.501 General responsibility of public agencies.

Each State educational agency shall insure that each public agency establishes and implements procedural safeguards which meet the requirements of §§ 121a.500–121a.514.

(20 U.S.C. 1415(a).)

300.502 Opportunity to examine records.

The parents of a handicapped child shall be afforded, in accordance with the procedures in §§ 121a.562–121a.569 an opportunity to inspect and review all education records with respect to:

(a) The identification, evaluation, and educational placement of the child, and

(b) The provision of a free appropriate public education to the child.

(20 U.S.C. 1415(b) (1) (A).)

300.503 Independent educational evaluation.

(a) *General.* (1) The parents of a handicapped child have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (b) through (e) of this section.

(2) Each public agency shall provide to parents, on request, information about where an independent educational evaluation may be obtained.

(3) For the purposes of this part:

(i) "Independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question.

(ii) "Public expense" means that the public agency either pays for the full cost of the evaluation or insures that the evaluation is otherwise provided at no cost to the parent, consistent with § 121a.301 of Subpart C.

(b) *Parent right to evaluation at public expense.* A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. However, the public agency may initiate a hearing under § 121a.506 of this subpart to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

(c) *Parent initiated evaluations.* If the parent obtains an independent educational evaluation at private expense, the results of the evaluation:

(1) Must be considered by the public agency in any decision made with respect to the provision of a free appropriate public education to the child, and

(2) May be presented as evidence at a hearing under this subpart regarding that child.

(d) *Requests for evaluations by hearing officers.* If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

(e) *Agency criteria.* Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the public agency uses when it initiates an evaluation.

(20 U.S.C. 1415(b)(1)(A).)

300.504 Prior notice; parent consent.

(a) *Notice.* Written notice which meets the requirements under § 121a.505 must be given to the parents of a handicapped child a reasonable time before the public agency:

(1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child, or

(2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

(b) *Consent.* (1) Parental consent must be obtained before:

(i) Conducting a preplacement evaluation; and

(ii) Initial placement of a handicapped child in a program providing special education and related services.

(2) Except for preplacement evaluation and initial placement, consent may not be required as a condition of any benefit to the parent or child.

(c) *Procedures where parent refuses consent.* (1) Where State law requires parental consent before a handicapped child is evaluated or initially provided special education and related services, State procedures govern the public agency in overriding a parent's refusal to consent.

(2)(i) Where there is no State law requiring consent before a handicapped child is evaluated or initially provided special education and related services, the public agency may use the hearing procedures in §§ 121a.506–121a.508 to determine if the child may be evaluated or initially provided special education and related services without parental consent.

(ii) If the hearing officer upholds the agency, the agency may evaluate or initially provide special education and related services to the child without the parent's consent, subject to the parent's rights under §§ 121a.510—121a.513.

(20 U.S.C. 1415(b)(1) (C), (D).)

Comment. 1. Any changes in a child's special education program, after the initial placement, are not subject to parental consent under Part B, but are subject to the prior notice requirement in paragraph (a) and the individualized education program requirements in Subpart C.

2. Paragraph (c) means that where State law requires parental consent before evaluation or before special education and related services are initially provided, and the parent refuses (or otherwise withholds) consent, State procedures, such as obtaining a court order authorizing the public agency to conduct the evaluation or provide the education and related services, must be followed.

If, however, there is no legal requirement for consent outside of these regulations, the public agency may use the due process procedures under this subpart to obtain a decision to allow the evaluation or services without parental consent. The agency must notify the parent of its actions, and the parent has appeal rights as well as rights at the hearing itself.

300.505 Content of notice.

(a) The notice under § 121a.504 must include:

(1) A full explanation of all of the procedural safeguards available to the parents under Subpart E;

(2) A description of the action proposed or refused by the agency, an explanation of why the agency proposes or refuses to take the action, and a description of any options the agency considered and the reasons why those options were rejected;

(3) A description of each evaluation procedure, test, record, or report the agency uses as a basis for the proposal or refusal; and

(4) A description of any other factors which are relevant to the agency's proposal or refusal.

(b) The notice must be:

(1) Written in language understandable to the general public, and

(2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

(c) If the native language or other mode of communication of the parent is not a written language, the State or local educational agency shall take steps to insure:

(1) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;

(2) That the parent understands the content of the notice, and

(3) That there is written evidence that the requirements in paragraph (c) (1) and (2) of this section have been met.

(20 U.S.C. 1415(b)(1)(D))

300.506 Impartial due process hearing.

(a) A parent or a public educational agency may initiate a hearing on any of the matters described in § 121a.504(a)(1) and (2).

(b) The hearing must be conducted by the State educational agency or the public agency directly responsible for the education of the child, as determined under State statute, State regulation, or a written policy of the State educational agency.

(c) The public agency shall inform the parent of any free or low-cost legal and other relevant services available in the area if:

(1) The parent requests the information; or

(2) The parent or the agency initiates a hearing under this section.

(20 U.S.C. 1415(b)(2).)

Comment: Many States have pointed to the success of using mediation as an intervening step prior to conducting a formal due process hearing. Although the process of mediation is not required by the statute or these regulations, an agency may wish to suggest mediation in disputes concerning the identification, evaluation, and educational placement of handicapped children, and the provision of a free appropriate public education to those children. Mediations have been conducted by members of State educational agencies or local educational agency personnel who were not previously involved in the particular case. In many cases, mediation leads to resolution of differences between parents and agencies without the development of an adversarial relationship and with minimal emotional stress. However, mediation may not be used to deny or delay a parent's rights under this subpart.

300.507 Impartial hearing officer.

(a) A hearing may not be conducted:

(1) By a person who is an employee of a public agency which is involved in the education or care of the child, or

(2) By any person having a personal or professional interest which would conflict with his or her objectivity in the hearing.

(b) A person who otherwise qualifies to conduct a hearing under paragraph (a) of this section is not an employee of the agency solely because he or she is paid by the agency to serve as a hearing officer.

(c) Each public agency shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

(20 U.S.C. 1414(b)(2).)

300.508 Hearing rights.

(a) Any party to a hearing has the right to:

(1) Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of handicapped children;

(2) Present evidence and confront, cross-examine, and compel the attendance of witnesses;

(3) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing;

(4) Obtain a written or electronic verbatim record of the hearing;

(5) Obtain written findings of fact and decisions. (The public agency shall transmit those findings and decisions, after deleting any personally identifiable information, to the State advisory panel established under Subpart F).

(b) Parents involved in hearings must be given the right to:

(1) Have the child who is the subject of the hearing present; and

(2) Open the hearing to the public.

(20 U.S.C. 1415(d).)

300.509 Hearing decision; appeal.

A decision made in a hearing conducted under this subpart is final, unless a party to the hearing appeals the decision under § 121a.510 or § 121a.511.

(20 U.S.C. 1415(c).)

300.510 Administrative appeal; impartial review.

(a) If the hearing is conducted by a public agency other than the State educational agency, any party aggrieved by the findings and decision in the hearing may appeal to the State educational agency.

(b) If there is an appeal, the State educational agency shall conduct an impartial review of the hearing. The official conducting the review shall:

(1) Examine the entire hearing record;

(2) Insure that the procedures at the hearing were consistent with the requirements of due process;

(3) Seek additional evidence if necessary. If a hearing is held to receive additional evidence, the rights in § 121a.508 apply;

(4) Afford the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official;

(5) Make an independent decision on completion of the review; and

(6) Give a copy of written findings and the decision to the parties.

(c) The decision made by the reviewing official is final, unless a party brings a civil action under § 121a.512.

(20 U.S.C. 1415 (c), (d); H. Rep. No. 94-664, at p. 49 (1975).)

Comment. 1. The State educational agency may conduct its review either directly or through another State agency acting on its behalf. However, the State educational agency remains responsible for the final decision on review.

2. All parties have the right to continue to be represented by counsel at the State administrative review level, whether or not the reviewing official determines that a further hearing is necessary. If the reviewing official decides to hold a hearing to receive additional evidence, the other rights in section 121a.508, relating to hearings, also apply.

300.511 Civil action.

Any party aggrevied by the findings and decision made in a hearing who does not have the right to appeal under § 121a.510 of this subpart, and any party aggrieved by the decision of a reviewing officer under § 121a.510 has the right to bring a civil action under section 615(e) (2) of the Act.

(20 U.S.C. 1415.)

a. The response under "CIVIL ACTION (§ 121a.511)," appearing at 42 FR 42512, is amended to read as follows: *Response*. No change has been made. The Office of Education has decided not to regulate on this question. The issue of exhaustion of remedies will be up to the courts to resolve.

300.512 Timeliness and convenience of hearings and reviews.

(a) The public agency shall insure that not later than 45 days after the receipt of a request for a hearing:

(1) A final decision is reached in the hearing; and

(2) A copy of the decision is mailed to each of the parties.

(b) The State educational agency shall insure that not later than 30 days after the receipt of a request for a review:

(1) A final decision is reached in the review; and

(2) A copy of the decision is mailed to each of the parties.

(c) A hearing or reviewing officer may grant specific extensions of time beyond the periods set out in paragraphs (a) and (b) of this section at the request of either party.

(d) Each hearing and each review involving oral arguments must be conducted at a time and place which is reasonably convenient to the parents and child involved.

(20 U.S.C. 1415.)

300.513 Child's status during proceedings.

(a) During the pendency of any administrative or judicial proceeding regarding a complaint, unless the public agency and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her present educational placement.

(b) If the complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school program until the completion of all the proceedings.

(20 U.S.C. 1415(e) (3).)

Comment. Section 121a.513 does not permit a child's placement to be changed during a complaint proceeding, unless the parents and agency agree otherwise. While the placement may not be changed, this does not preclude the agency from using its normal procedures for dealing with children who are endangering themselves or others.

300.514 Surrogate parents.

(a) *General*. Each public agency shall insure that the rights of a child are protected when:

(1) No parent (as defined in § 121a.10) can be identified;

(2) The public agency, after reasonable efforts, cannot discover the whereabouts of a parent; or

(3) The child is a ward of the State under the laws of that State.

(b) *Duty of public agency*. The duty of a public agency under paragraph (a) of this section includes the assignment of an individual to act as a surrogate for the parents. This must include a method (1) for determining whether a child needs a surrogate parent, and (2) for assigning a surrogate parent to the child.

(c) *Criteria for selection of surrogates*. (1) The public agency may select a surrogate parent in any way permitted under State law.

(2) Public agencies shall insure that a person selected as a surrogate:

(i) Has no interest that conflicts with the interests of the child he or she represents; and

(ii) Has knowledge and skills, that insure adequate representation of the child.

(d) *Non-employee requirement; compensation*. (1) A person assigned as a surrogate may not be an employee of a public agency which is involved in the education or care of the child.

(2) A person who otherwise qualifies to be a surrogate parent under paragraph (c) and (d)(1) of this section, is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

(e) *Responsibilities*. The surrogate parent may represent the child in all matters relating to:

(1) The identification, evaluation, and educational placement of the child, and

(2) The provision of a free appropriate public education to the child.

(20 U.S.C. 1415(b) (1) (B).)

PROTECTION IN EVALUATION PROCEDURES

300.530 General.

(a) Each State educational agency shall insure that each public agency establishes and implements procedures which meet the requirements of §§ 121a.-530–121a.534.

(b) Testing and evaluation materials and procedures used for the purposes of evaluation and placement of handicapped children must be selected and administered so as not to be racially or culturally discriminatory.

(20 U.S.C. 1412(5) (C).)

300.531 Preplacement evaluation.

Before any action is taken with respect to the initial placement of a handicapped child in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of § 121a.532.

(20 U.S.C. 1412(5) (C).)

300.532 Evaluation procedures.

State and local educational agencies shall insure, at a minimum, that:

(a) Tests and other evaluation materials:

(1) Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;

(2) Have been validated for the specific purpose for which they are used; and

(3) Are administered by trained personnel in conformance with the instructions provided by their producer;

(b) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;

(c) Tests are selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors which the test purports to measure);

(d) No single procedure is used as the sole criterion for determining an appropriate educational program for a child; and

(e) The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability.

(f) The child is assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

(20 U.S.C. 1412(5) (C))

Comment. Children who have a speech impairment as their primary handicap may not need a complete battery of assessments (e.g., psychological, physical, or adaptive behavior). However, a qualified speech-language pathologist would (1) evaluate each speech impaired child using procedures that are appropriate for the diagnosis and appraisal of speech and language disorders, and (2) where necessary, make referrals for additional assessments needed to make an appropriate placement decision.

300.533 Placement procedures.

(a) In interpreting evaluation data and in making placement decisions, each public agency shall:

(1) Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;

(2) Insure that information obtained from all of these sources is documented and carefully considered;

(3) Insure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

(4) Insure that the placement decision is made in conformity with the least restrictive environment rules in §§ 121a.550–121a.554.

(b) If a determination is made that a child is handicapped and needs special education and related services, an individualized education program must be developed for the child in accordance with §§ 121a.340–121a.349 of Subpart C.

(20 U.S.C. 1412(5) (C); 1414(a) (5).)

Comment. Paragraph (a) (1) includes a list of examples of sources that may be used by a public agency in making placement decisions. The agency would not have to use all the sources in every instance. The point of the requirement is to insure that more than one source is used in interpreting evaluation data and in making placement decisions. For example, while all of the named sources would have to be used for a child whose suspected disability is mental retardation, they would not be necessary for certain other handicapped children, such as a child who has a severe articulation disorder as his primary handicap. For such a child, the speech-language pathologist, in complying with the multisource requirement, might use (1) a standardized test of articulation, and (2) observation of the child's articulation behavior in conversational speech.

300.534 Reevaluation.

Each State and local educational agency shall insure:

(a) That each handicapped child's individualized education program is reviewed in accordance with §§ 121a.340—121a.349 of Subpart C, and

(b) That an evaluation of the child, based on procedures which meet the requirements under § 121a.532, is conducted every three years or more frequently if conditions warrant or if the child's parent or teacher requests an evaluation.

(20 U.S.C. 1412(5) (c).)

Additional Procedures for Evaluating Specific Learning Disabilities

300.540 Additional team members.

In evaluating a child suspected of having a specific learning disability, in addition to the requirements of § 121a.532, each public agency shall include on the multidisciplinary evaluation team:

(a) (1) The child's regular teacher; or

(2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or

(3) For a child of less than school age, an individual qualified by the State educational agency to teach a child of his or her age; and

(b) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

(20 U.S.C. 1411 note.)

300.541 Criteria for determining the existence of a specific learning disability.

(a) A team may determine that a child has a specific learning disability if:

(1) The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (a) (2) of this section, when provided with learning experiences appropriate for the child's age and ability levels; and

(2) The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:

(i) Oral expression;
(ii) Listening comprehension;
(iii) Written expression;
(iv) Basic reading skill;
(v) Reading comprehension;
(vi) Mathematics calculation; or
(vii) Mathematics reasoning.

(b) The team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of:

(1) A visual, hearing, or motor handicap;

(2) Mental retardation;

(3) Emotional disturbance; or

(4) Environmental, cultural or economic disadvantage.

(20 U.S.C. 1411 note.)

300.542 Observation.

(a) At least one team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom setting.

(b) In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

(20 U.S.C. 1411 note.)

300.543 Written report.

(a) The team shall prepare a written report of the results of the evaluation.

(b) The report must include a statement of:

(1) Whether the child has a specific learning disability;

(2) The basis for making the determination;

(3) The relevant behavior noted during the observation of the child;

(4) The relationship of that behavior to the child's academic functioning;

(5) The educationally relevant medical findings, if any;

(6) Whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and

(7) The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

(c) Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

(20 U.S.C. 1411 note.)

Least Restrictive Environment

300.550 General.

(a) Each State educational agency shall insure that each public agency establishes and implements procedures which meet the requirements of §§ 121a.550–121a.556.

(b) Each public agency shall insure:

(1) That to the maximum extent appropriate, handicapped children, including children in public or private institutions or other care facilities, are educated with children who are not handicapped, and

(2) That special classes, separate schooling or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(20 U.S.C. 1412(5) (B); 1414(a) (1) (C) (iv).)

300.551 Continuum of alternative placements.

(a) Each public agency shall insure that a continuum of alternative place-

[illegible]ents is available to meet the needs of handicapped children for special educa[illegible]on and related services.

(b) The continuum required under paragraph (a) of this section must:

(1) Include the alternative placements listed in the definition of special education under § 121a.13 of Subpart A (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions), and

(2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

(20 U.S.C. 1412(5) (B).)

300.552 Placements.

Each public agency shall insure that:

(a) Each handicapped child's educational placement:

(1) Is determined at least annually,

(2) Is based on his or her individualized education program, and

(3) Is as close as possible to the child's home;

(b) The various alternative placements included under § 121a.551 are available to the extent necessary to implement the individualized education program for each handicapped child;

(c) Unless a handicapped child's individualized education program requires some other arrangement, the child is educated in the school which he or she would attend if not handicapped; and

(d) In selecting the least restrictive [illegible]vironment, consideration is given to any potential harmful effect on the child or on the quality of services which he or she needs.

(20 U.S.C. 1412(5) (B).)

Comment. Section 121a.552 includes some of the main factors which must be considered in determining the extent to which a handicapped child can be educated with children who are not handicapped. The overriding rule in this section is that placement decisions must be made on an individual basis. The section also requires each agency to have various alternative placements available in order to insure that each handicapped child receives an education which is appropriate to his or her individual needs.

The analysis of the regulations for Section 504 of the Rehabilitation Act of 1973 (45 CFR Part 84—Appendix, Paragraph 24) includes several points regarding educational placements of handicapped children which are pertinent to this section:

1. With respect to determining proper placements, the analysis states: "* * * it should be stressed that, where a handicapped child is so disruptive in a regular classroom that the education of other students is significantly impaired, the needs of the handicapped child cannot be met in that environment. Therefore regular placement would not be appropriate to his or her needs * * *."

2. With respect to placing a handicapped child in an alternate setting, the analysis states that among the factors to be considered in placing a child is the need to place the child as close to home as possible. Recipients are required to take this factor [illegible]to account in making placement decisions. The parent's right to challenge the placement of their child extends not only to placement in special classes or separate schools, but also to placement in a distant school, particularly in a residential program. An equally appropriate education program may exist closer to home; and this issue may be raised by the parent under the due process provisions of this subpart.

300.553 Nonacademic settings.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 121a.306 of Subpart C, each public agency shall insure that each handicapped child participates with nonhandicapped children in those services and activities to the maximum extent appropriate to the needs of that child.

(20 U.S.C. 1412(5) (B).)

Comment. Section 121a.553 is taken from a new requirement in the final regulations for Section 504 of the Rehabilitation Act of 1973. With respect to this requirement, the analysis of the Section 504 Regulations includes the following statement: "[A new paragraph] specifies that handicapped children must also be provided nonacademic services in as integrated a setting as possible. This requirement is especially important for children whose educational needs necessitate their being solely with other handicapped children during most of each day. To the maximum extent appropriate, children in residential settings are also to be provided opportunities for participation with other children." (45 CFR Part 84—Appendix, Paragraph 24.)

300.554 Children in public or private institutions.

Each State educational agency shall make arrangements with public and private institutions (such as a memorandum of agreement or special implementation procedures) as may be necessary to insure that § 121a.550 is effectively implemented.

(20 U.S.C. 1412(5) (B).)

Comment. Under section 612(5) (B) of the statute, the requirement to educate handicapped children with nonhandicapped children also applies to children in public and private institutions or other care facilities. Each State educational agency must insure that each applicable agency and institution in the State implements this requirement. Regardless of other reasons for institutional placement, no child in an institution who is capable of education in a regular public school setting may be denied access to an education in that setting.

300.555 Technical assistance and training activities.

Each State educational agency shall carry out activities to insure that teachers and administrators in all public agencies:

(a) Are fully informed about their responsibilities for implementing § 121a.550, and

(b) Are provided with technical assistance and training necessary to assist them in this effort.

(20 U.S.C. 1412(5) (B).)

300.556 Monitoring activities.

(a) The State educational agency shall carry out activities to insure that § 121a.550 is implemented by each public agency.

(b) If there is evidence that a public agency makes placements that are inconsistent with § 121a.550 of this subpart, the State educational agency:

(1) Shall review the public agency's justification for its actions, and

(2) Shall assist in planning and implementing any necessary corrective action.

(20 U.S.C. 1412(5) (B).)

CONFIDENTIALITY OF INFORMATION

300.560 Definitions.

As used in this subpart:

"Destruction" means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

"Education records" means the type of records covered under the definition of "education records" in Part 99 of this title (the regulations implementing the Family Educational Rights and Privacy Act of 1974).

"Participating agency" means any agency or institution which collects, maintains, or uses personally identifiable information, or from which information is obtained, under this part.

(20 U.S.C. 1412(2) (D); 1417(c).)

300.561 Notice to parents.

(a) The State educational agency shall give notice which is adequate to fully inform parents about the requirements under § 121a.128 of Subpart B, including:

(1) A description of the extent to which the notice is given in the native languages of the various population groups in the State;

(2) A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the State intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;

(3) A summary of the policies and procedures which participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and

(4) A description of all of the rights of parents and children regarding this information, including the rights under section 438 of the General Education Provisions Act and Part 99 of this title (the Family Educational Rights and Privacy Act of 1974, and implementing regulations).

(b) Before any major identification, location, or evaluation activity, the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the State of the activity.

(20 U.S.C. 1412(2) (D); 1417(c).)

300.562 Access rights.

(a) Each participating agency shall permit parents to inspect and review any education records relating to their children which are collected, maintained, or used by the agency under this part. The agency shall comply with a request without unnecessary delay and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or placement of the child, and in no case more than 45 days after the request has been made.

(b) The right to inspect and review education records under this section includes:

(1) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;

(2) The right to request that the agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

(3) The right to have a representative of the parent inspect and review the records.

(c) An agency may presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.563 Record of access.

Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used under this part (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.564 Records on more than one child.

If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.565 List of types and locations of information.

Each participating agency shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the agency.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.566 Fees.

(a) A participating education agency may charge a fee for copies of records which are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

(b) A participating agency may not charge a fee to search for or to retrieve information under this part.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.567 Amendment of records at parent's request.

(a) A parent who believes that information in education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child, may request the participating agency which maintains the information to amend the information.

(b) The agency shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.

(c) If the agency decides to refuse to amend the information in accordance with the request it shall inform the parent of the refusal, and advise the parent of the right to a hearing under § 121a.568.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.568 Opportunity for a hearing.

The agency shall, on request, provide an opportunity for a hearing to challenge information in education records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.569 Result of hearing.

(a) If, as a result of the hearing, the agency decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parent in writing.

(b) If, as a result of the hearing, the agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency.

(c) Any explanation placed in the records of the child under this section must:

(1) Be maintained by the agency as part of the records of the child as long as the record or contested portion is maintained by the agency; and

(2) If the records of the child or the contested portion is disclosed by the agency to any party, the explanation must also be disclosed to the party.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.570 Hearing procedures.

A hearing held under § 121a.568 of this subpart must be conducted according to the procedures under § 99.22 of this title.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.571 Consent.

(a) Parental consent must be obtained before personally identifiable information is:

(1) Disclosed to anyone other than officials of participating agencies collecting or using the information under this part, subject to paragraph (b) of this section; or

(2) Used for any purpose other than meeting a requirement under this part.

(b) An educational agency or institution subject to Part 99 of this title may not release information from education records to participating agencies without parental consent unless authorized to do so under Part 99 of this title.

(c) The State educational agency shall include policies and procedures in its annual program plan which are used in the event that a parent refuses to provide consent under this section.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.572 Safeguards.

(a) Each participating agency shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

(b) One official at each participating agency shall assume responsibility for insuring the confidentiality of any personally identifiable information.

(c) All persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures under § 121a.129 of Subpart B and Part 99 of this title.

(d) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.573 Destruction of information.

(a) The public agency shall inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child.

(b) The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

(20 U.S.C. 1412(2)(D); 1417(c).)

Comment. Under section 121a.573, the personally identifiable information on a handicapped child may be retained permanently unless the parents request that it be destroyed. Destruction of records is the best protection against improper and unauthorized disclosure. However, the records may be needed for other purposes. In informing parents about their rights under this section, the agency should remind them that the records may be needed by the child or the parents for social security benefits or other purposes. If the parents request that the information be destroyed, the agency may retain the information in pargraph (b).

300.574 Children's rights.

The State educational agency shall

include policies and procedures in its annual program plan regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

(20 U.S.C. 1412(2)(D); 1417(c).)

Comment. Note that under the regulations for the Family Educational Rights and Privacy Act (45 CFR 99.4(a)), the rights of parents regarding education records are transferred to the student at age 18.

300.575 Enforcement.

The State educational agency shall describe in its annual program plan the policies and procedures, including sanctions, which the State uses to insure that its policies and procedures are followed and that the requirements of the Act and the regulations in this part are met.

(20 U.S.C. 1412(2)(D); 1417(c).)

300.576 Office of Education.

If the Office of Education or its authorized representatives collect any personally identifiable information regarding handicapped children which is not subject to 5 U.S.C. 552a (The Privacy Act of 1974), the Commissioner shall apply the requirements of 5 U.S.C. section 552a(b) (1)–(2), (4)–(11); (c); (d); (e)(1), (2), (3) A), (B), and (D); (5)–(10); (h); (m); and (n), and the regulations implementing those provisions in Part 5b of this title.

(20 U.S.C. 1412(2)(D); 1417(c).)

OFFICE OF EDUCATION PROCEDURES

300.580 Opportunity for a hearing.

The Commissioner gives a State educational agency reasonable notice and an opportunity for a hearing before taking any of the following actions:

(a) Disapproval of a State's annual program plan under § 121a.113 of Subpart B.

(b) Withholding payments from a State under § 121a.590 or under section 434(c) of the General Education Provisions Act.

(c) Waiving the requirement under § 121a.589 of this subpart regarding supplementing and supplanting with funds provided under Part B of the Act.

(20 U.S.C. 1232c(c); 1413(a)(9)(B); 1413(c); 1416.)

300.589 Waiver of requirement regarding supplementing and supplanting with Part B funds.

(a) Under sections 613(a)(9)(B) and 614(a)(2)(B)(ii) of the Act, State and local Educational agencies must insure that Federal funds provided under Part B of the Act are used to supplement the level of State and local funds expended for the education of handicapped children, and in no case to supplant those State and local funds. Beginning with funds appropriated for fiscal year 1979 and for each following fiscal year, the nonsupplanting requirement only applies to funds allocated to local educational agencies. (See § 121a.372.)

(b) If the State provides clear and convincing evidence that all handicapped children have available to them a free appropriate public education, the Commissioner may waive in part the requirement under sections 613(a)(9)(B) and 614(a)(2)(B)(ii) of the Act if the Commissioner concurs with the evidence provided by the State.

(c) If a State wishes to request a waiver, it must inform the Commissioner in writing. The Commissioner then provides the State with a finance and membership report form which provides the basis for the request.

(d) In its request for a waiver, the State shall include the results of a special study made by the State to obtain evidence of the availability of a free appropriate public education to all handicapped children. The special study must include statements by a representative sample of organizations which deal with handicapped children, and parents and teachers of handicapped children, relating to the following areas:

(1) The adequacy and comprehensiveness of the State's system for locating, identifying, and evaluating handicapped children, and

(2) The cost to parents, if any, for education for children enrolled in public and private day schools, and in public and private residential schools and institutions, and

(3) The adequacy of the State's due process procedures.

(e) In its request for a waiver, the State shall include finance data relating to the availability of a free appropriate public education for all handicapped children, including:

(1) The total current expenditures for regular education programs and special education programs by function and by source of funds (State, local, and Federal) for the previous school year, and

(2) The full-time equivalent membership of students enrolled in regular programs and in special programs in the previous school year.

(f) The Commissioner considers the information which the State provides under paragraph (d) and (e) of this section, along with any additional information he may request, or obtain through on-site reviews of the State's education programs and records, to determine if all children have available to them a free appropriate public education, and if so, the extent of the waiver.

(g) The State may request a hearing under §§ 121a.580–121a.583 with regard to any final action by the Commissioner under this section.

(20 U.S.C. 1411(c)(3); 1413(a)(9)(B).)

APPENDIX H

STATE

CERTIFICATION ENDORSEMENTS:

- Special Education
- School Psychologist
- School Social Worker

STANDARDS STATEMENT

SPECIAL EDUCATION RESOURCE ENDORSEMENT

A special education resource endorsement to the Basic Professional or Professional Certificate permits the holder to teach mildly and moderately handicapped students at elementary, middle or secondary levels (K-12). This endorsement is required of all teachers newly assigned in a special education resource program after July 1, 1981. Unless otherwise noted, the endorsement is valid until and unless revoked for cause by the State Board of Education providing the holder verifies appropriate employment in education of at least three years during each succeeding five-year interval. Otherwise, the endorsement must be renewed in accordance with the Standards and Guidelines for Revalidation and Renewal of Certificates.

Those individuals currently holding a special education endorsement in one of the categorical areas (Intellectually Handicapped, Learning Disabled, Emotionally Handicapped, or Communication Disorders) and who are currently serving in a special education assignment, or who have been so assigned for three of the previous five years at the time these new requirements become effective, will have the special education resource endorsement issued to them. Consultant, supervisory, or administrative personnel serving in special education programs will also be included if they hold or have held special education categorical endorsements.

1. Basic Professional Certificate: A special education resource endorsement to the Basic Professional Certificate may be issued to an applicant who has:

   a. earned a bachelor's degree;

   b. completed the requirements for an elementary, middle or secondary teaching endorsement,

      or

      completed a professional education core consisting of 15 to 18 quarter hours which shall include:

      (1) physical and psychological foundations,

      (2) social and educational foundations,

      (3) elementary school teaching methods, and

      (4) field experiences with elementary, middle, or secondary school students;

   c. completed a specialized preparation program which shall have included the following at the job entry level of proficiency:

      (1) Assessment Skills. Demonstrated competence in the selection, administration, and interpretation of formal and informal techniques and instruments to assess a child's educational (to include academic, language, social, cognitive, and physical) development.

(2) Program Development Skills. Demonstrated competence in the development, implementation, and evaluation of instructional programs for children's academic, social, cognitive, and physical needs.

(3) Interpersonal Skills. Demonstrated competence in communicating with parents, children and other professionals relative to the improvement or evaluation of a child's academic, social, cognitive, and physical development, and of instructional needs.

(4) Professional Knowledge Skills. Demonstrated competence in (a) describing the characteristics and education needs of each of the different categories of exceptionality and (b) planning, implementing, and evaluating programs for exceptional children.

(5) Resources Awareness Skills. Demonstrated competence in (a) identifying, selecting and using resource agencies (i.e., Area Learning Resource Center, mental health clinics, and other such agencies) for improving and strengthening the education program for exceptional children, (b) identifying, selecting, and using commercially made media and materials for improving and strengthening programs for exceptional children, and (c) operating AV equipment.

(6) Managing Behaviors in the Classroom. Demonstrated competence in the control and management of behavior in the classroom utilizing a variety of techniques taken from behavioral, cognitive and humanistic psychological theories.

(7) Administrative Knowledge Skills. Demonstrated competence in (a) an understanding of federal and state laws, policies, and procedures governing the interaction and relationship with students, parents, and other professionals, (b) developing a system for organizing and maintaining records on individual students and (c) developing and maintaining a filing system for resources to be used in planning, implementing, and evaluating programs for exceptional children.

d. completed an approved intensive practicum experience in a resource setting. Under certain conditions and upon the recommendation of the preparing institution, an individual who has completed all of the required course work and experience except for the practicum may be issued a one-year provisional certificate in order to complete an on-the-job practicum during the first year of employment as a special education resource teacher;

e. been recommended by an institution whose program of preparation has been approved by the State Board of Educaton.

2. Professional Certificate. An applicant for a special education resource endorsement to the Professional Certificate must present evidence that the applicant

a. holds or is eligible to hold the Basic Professional Certificate with a special education resource endorsement;

b. has earned a master's degree or has completed an approved program consisting of not fewer than 55 quarter hours earned after meeting the requirements for a bachelor's degree;

c. has completed approved specialized preparation in addition to that required to obtain the special education resource endorsement to the Basic Professional Certificate to insure competence at the fully qualified level;

d. has completed not fewer than three years of successful teaching experience in a special education setting;

e. has been recommended by an institution whose program of preparation has been approved by the State Board of Education.

B. Teacher of the Severely Handicapped Endorsement

An endorsement to the Basic Professional or Professional Certificate is issued by the State Board of Education for teaching the severely handicapped (Special education categorical endorsements for teaching students with communication disorders, auditory handicaps, and visual handicaps are covered by separate requirements). The teacher of the severely handicapped endorsement permits service at the elementary, middle or secondary level (K-12). This endorsement is required of all teachers newly assigned in a special education program serving the severely handicapped after July 1, 1981. Unless otherwise noted, the endorsement is valid until and unless revoked for cause by the State Board of Education providing the holder verifies appropriate employment in education of at least three years during each succeeding five-year interval. Otherwise, it must be renewed in accordance with the Standards and Guidelines for Revalidation and Renewal of Certificates.

Those individuals currently holding a special education endorsement in one of the categorical areas (Intellectually Handicapped, Emotionally Handicapped, Learning Disabled) and who are currently serving in a special education assignment, or who have been so assigned for three of the previous five years at the time these new requirements become effective, will have the teacher of the severely handicapped endorsement issued to them. This endorsement will include a designation of their categorical area of specialization. Consultant, supervisory, or administrative personnel serving in special education programs will be included.

1. Basic Professional Certificate. An endorsement to the Basic Professional Certificate for teacher of the severely handicapped may be issued to an applicant who has:

   a. earned a bachelor's degree;

   b. completed the requirements for an elementary or secondary teaching endorsement;

or

completed a professional education core consisting of 15 to 18 quarter hours which shall include

(1) physical and psychological foundations;

(2) social and educational foundations;

(3) elementary school teaching methods;

(4) field experiences with elementary, middle, or secondary school students;

c. completed a specialized preparation program in the area of severe Intellectually Handicapped, Emotionally Handicapped, or Learning Disabled which shall have included the following competencies relative to the area(s) of specialization at the job entry level:

(1) Demonstrated competence in facilitating the identification of persons who may be eligible for programs for the severely handicapped and in referring known severely handicapped persons to appropriate programs.

(2) Demonstrated competence in assessing current levels of performance (including strengths and weaknesses) utilizing appropriate observational/assessment techniques and instruments which correspond to current rules and regulations pertaining to specific handicapping conditions.

(3) Demonstrated competence in converting assessment information into long-term goals and short-term objectives (individual education plan--IEP) designed to meet the needs of the specific handicapping condition including recommendations relating to placement in the appropriate, least restrictive environment.

(4) Demonstrated competence in implementing the IEP utilizing appropriate curriculum, instructional techniques/methods, media/materials, and supportive personnel.

(5) Demonstrated competence in monitoring and analyzing the effectiveness of the IEP in meeting long-term goals and short-term objectives and in making appropriate program modifications as indicated.

(6) Demonstrated competence in planning and providing, in addition to those experiences required in the IEP, a total continuum of curriculum experiences for the severely handicapped.

(7) Demonstrated competence in planning and providing career/vocational education and life skills for the severely handicapped.

(8) Demonstrated competence in utilizing appropriate individual and group behavior management skills.

(9) Demonstrated competence in assessing the environment and interacting appropriately with students, parents, regular teachers, administrators, and other support personnel and resources.

(10) Demonstrated competence in the application of principles of learning and of human growth and development as related to the severely handicapped.

(11) Demonstrated competence in applying knowledge of current federal and state laws, rules, and regulations governing programs for the severely handicapped.

d. completed an approved intensive practicum experience with the severely handicapped in at least one of the categorical areas (Intellectually Handicapped, Emotionally Handicapped, Learning Disabled, and other such handicaps). Upon recommendation of the preparing institution, an individual who has completed all of the required course work and experience except for the practicum may be issued a one-year provisional certificate in order to complete an on-the-job practicum during the first year of employment in a situation appropriate to the endorsement sought;

e. been recommended by an institution whose program of preparation has been approved by the State Board of Education.

SBEU 0385.01
7/21/80

UTAH STATE BOARD OF EDUCATION
Division of Curriculum and Instruction
250 East Fifth South
Salt Lake City, Utah 84111

SPECIAL EDUCATION RESOURCE ENDORSEMENT

A special education resource endorsement to the Basic Professional or Professional Certificate permits the holder to teach mildly and moderately handicapped students at elementary, middle or secondary levels (K-12). This endorsement is required of all teachers newly assigned in a special education resource program after July 1, 1981. Unless otherwise noted, the endorsement is valid until and unless revoked for cause by the State Board of Education providing the holder verifies appropriate employment in education of at least three years during each succeeding five-year interval. Otherwise, the endorsement must be renewed in accordance with the Standards and Guidelines for Revalidation and Renewal of Certificates.

Those individuals currently holding a special education endorsement in one of the categorical areas (Intellectually Handicapped, Learning Disabled, Emotionally Handicapped, or Communication Disorders) and who are currently serving in a special education assignment, or who have been so assigned for three of the previous five years at the time these new requirements become effective, will have the special education resource endorsement issued to them. Consultant, supervisory, or administrative personnel serving in special education programs will also be included if they hold or have held special education categorical endorsements.

1. Basic Professional Certificate: A special education resource endorsement to the Basic Professional Certificate may be issued to an applicant who has:

   a. earned a bachelor's degree;

   b. completed the requirements for an elementary, middle or secondary teaching endorsement,

   or

   completed a professional education core consisting of 15 to 18 quarter hours which shall include

   (1) physical and psychological foundations,

   (2) social and educational foundations,

   (3) elementary school teaching methods, and

146

(4) field experiences with elementary, middle, or secondary school students;

c. completed a specialized preparation program which shall have included the following at the job entry level of proficiency:

(1) Assessment Skills. Demonstrated competence in the selection, administration, and interpretation of formal and informal techniques and instruments to assess a child's educational (to include academic, language, social, cognitive, and physical) development.

(2) Program Development Skills. Demonstrated competence in the development, implementation, and evaluation of instructional programs for children's academic, social, cognitive, and physical needs.

(3) Interpersonal Skills. Demonstrated competence in communicating with parents, children and other professionals relative to the improvement or evaluation of a child's academic, social, cognitive, and physical development, and of instructional needs.

(4) Professional Knowledge Skills. Demonstrated competence in (a) describing the characteristics and education needs of each of the different categories of exceptionality and (b) planning, implementing, and evaluating programs for exceptional children.

(5) Resources Awareness Skills. Demonstrated competence in (a) identifying, selecting and using resource agencies (i.e., Area Learning Resource Center, mental health clinics, and other such agencies) for improving and strengthening the education program for exceptional children, (b) identifying, selecting, and using commercially made media and materials for improving and strengthening programs for exceptional children, and (c) operating AV equipment.

(6) Managing Behaviors in the Classroom. Demonstrated competence in the control and management of behavior in the classroom utilizing a variety of techniques taken from behavioral, cognitive and humanistic psychological theories.

(7) Administrative Knowledge Skills. Demonstrated competence in (a) an understanding of federal and state laws, policies, and procedures governing the interaction and relationship with students, parents, and other professionals, (b) developing a system for organizing and maintaining records on individual students and (c) developing and maintaining

a filing system for resources to be used in planning, implementing, and evaluating programs for exceptional children.

   d. completed an approved intensive practicum experience in a resource setting. Under certain conditions and upon the recommendation of the preparing institution, an individual who has completed all of the required course work and experience except for the practicum may be issued a one-year provisional certificate in order to complete an on-the-job practicum during the first year of employment as a special education resource teacher;

   e. been recommended by an institution whose program of preparation has been approved the State Board of Education.

2. Professional Certificate. An applicant for a special education resource endorsement to the Professional Certificate must present evidence that the applicant

   a. holds or is eligible to hold the Basic Professional Certificate with a special education resource endorsement;

   b. has earned a master's degree or has completed an approved program consisting of not fewer than 55 quarter hours earned after meeting the requirements for a bachelor's degree;

   c. has completed approved specialized preparation in addition to that required to obtain the special education resource endorsement to the Basic Professional Certificate to insure competence at the fully qualified level;

   d. has completed not fewer than three years of successful teaching experience in a special education setting;

   e. has been recommended by an institution whose program of preparation has been approved by the State Board of Education.

SBEU 0385.02
7/21/80

UTAH STATE BOARD OF EDUCATION
Division of Curricululum and Instruction
250 East Fifth South
Salt Lake City, Utah 84111

TEACHER OF THE SEVERELY HANDICAPPED ENDORSEMENT

An endorsement to the Basic Professional or Professional Certificate is issued by the State Board of Education for teaching the severely handicapped (special education categorical endorsements for teaching students with communication disorders, auditory handicaps, and visual handicaps are covered by separate requirements). The teacher of the severely handicapped endorsement permits service at the elementary, middle or secondary level (K-12). This endorsement is required of all teachers newly assigned in a special education program serving the severely handicapped after July 1, 1981. Unless otherwise noted, the endorsement is valid until and unless revoked for cause by the State Board of Education providing the holder verifies appropriate employment in education of at least three years during each succeeding five-year interval. Otherwise, it must be renewed in accordance with the Standards and Guidelines for Revalidation and Renewal of Certificates.

Those individuals currently holding a special education endorsement in one of the categorical areas (Intellectually Handicapped, Emotionally Handicapped, Learning Disabled) and who are currently serving in a special education assignment, or who have been so assigned for three of the previous five years at the time these new requirements become effective, will have the teacher of the severely handicapped endorsement issued to them. This endorsement will include a designation of their categorical area of specialization. Consultant, supervisory, or administrative personnel serving in special education programs will be included.

1. Basic Professional Certificate. An endorsement to the Basic Professional Certificate for teacher of the severely handicapped may be issued to an applicant who has:

    a. earned a bachelor's degree;

    b. completed the requirements for an elementary or secondary teaching endorsement;

    OR

    completed a professional education core consisting of 15 to 18 quarter hours which shall include

    (1) physical and psychological foundations;

(2) social and educational foundations;

(3) elementary school teaching methods;

(4) field experiences with elementary, middle, or secondary school students;

c. completed a specialized preparation program in the area of severe Intellectually Handicapped, Emotionally Handicapped, or Learning Disabled which shall have included the following competencies relative to the area(s) of specialization at the job entry level:

(1) Demonstrated competence in facilitating the identification of persons who may be eligible for programs for the severely handicapped and in referring known severely handicapped persons to appropriate programs.

(2) Demonstrated competence in assessing current levels of performance (including strengths and weaknesses) utilizing appropriate observational/assessment techniques and instruments which correspond to current rules and regulations pertaining to specific handicapping conditions.

(3) Demonstrated competence in converting assessment information into long-term goals and short-term objectives (individual education plan--IEP) designed to meet the needs of the specific handicapping condition including recommendations relating to placement in the appropriate, least restrictive environment.

(4) Demonstrated competence in implementing the IEP utilizing appropriate curriculum, instructional techniques/methods, media/materials, and supportive personnel.

(5) Demonstrated competence in monitoring and analyzing the effectiveness of the IEP in meeting long-term goals and short-term objectives and in making appropriate program modifications as indicated.

(6) Demonstrated competence in planning and providing, in addition to those experiences required in the IEP, a total continuum of curriculum experiences for the severely handicapped.

(7) Demonstrated competence in planning and providing career/ vocational education and life skills for the severely handicapped.

150

(8) Demonstrated competence in utilizing appropriate individual and group behavior management skills.

(9) Demonstrated competence in assessing the environment and interacting appropriately with students, parents, regular teachers, administrators, and other support personnel and resources.

(10) Demonstrated competence in the application of principles of learning and of human growth and development as related to the severely handicapped.

(11) Demonstrated competence in applying knowledge of current federal and state laws, rules, and regulations governing programs for the severely handicapped.

d. completed an approved intensive practicum experience with the severely handicapped in at least one of the categorical areas (Intellectually Handicapped, Emotionally Handicapped, Learning Disabled, and other such handicaps). Upon recommendation of the preparing institution, an individual who has completed all of the required course work and experience except for the practicum may be issued a one-year provisional certificate in order to complete an on-the-job practicum during the first year of employment in a situation appropriate to the endorsement sought;

e. been recommended by an institution whose program of preparation has been approved by the State Board of Education.

2. Professional Certificate. An endorsement to the Basic Professional Certificate for teacher of the severely handicapped may be issued to an applicant who;

a. holds or is eligible to hold the Basic Professional Certificate with a teacher of the severely handicapped endorsement;

b. has earned a master's degree or has completed an approved program consisting of not fewer than 55 quarter hours earned after meeting the requirements for a bachelor's degree;

c. has completed approved specialized preparation in addition to that required to obtain the teacher of the severely handicapped endorsement to the Basic Professional Certificate to insure competence at the fully qualified level;

d. has completed not fewer than three years of successful teaching experience in a special education setting;

e. has been recommended by an institution whose program of preparation has been approved by the State Board of Education.

SBEU 0385.4
6/18/76 (Rev.)

UTAH STATE BOARD OF EDUCATION
Division of Staff Development
250 East Fifth South
Salt Lake City, Utah 84111

ENDORSEMENT FOR TEACHING PUPILS WITH COMMUNICATION DISORDERS

An endorsement to the Basic Professional or Professional Certificate is issued by the State Board of Education for teaching pupils with communication disorders. It may be issued in either speech pathology or audiology or both. This endorsement permits service at the elementary or secondary level (K-12). Unless otherwise noted, the endorsement is valid for five years and may be reissued for five years upon completion of nine quarter hours of credit in additional approved study.

A. Basic Professional Certificate

An endorsement to the Basic Professional Certificate for teaching pupils with communication disorders may be issued to an applicant who has:

1. Completed an approved program for teaching pupils with communication disorders which shall have included the master's degree* or 55 quarter hours earned after meeting requirements for a bachelor's degree.

2. Provided for the acquisition of those competencies necessary for assignment at job entry level as reflected in Competency Guidelines for Communication Disorders Specialists.

3. Been recommended by an institution whose program of preparation has been approved by the State Board of Education.

B. Professional Certificate

An applicant for an endorsement to the Professional Certificate for teaching pupils with communication disorders must present evidence that he:

1. Holds or is eligible to hold the Basic Professional Certificate with an endorsement for teaching pupils with communication disorders.

2. Has completed not fewer than three years of successful experience as a communication disorders specialist and has demonstrated those competencies necessary for effective performance as reflected in Competency Guidelines for Communication Disorders Specialists.

---

*An applicant with a bachelor's degree who has completed an approved program including the acquisition and/or demonstration of requisite job entry competencies may be issued a five-year non-renewable certificate. By the end of this five-year period, full requirements shall have been met.

SBEU 0385.41
9/19/75

UTAH STATE BOARD OF EDUCATION
Division of Staff Development
250 East Fifth South
Salt Lake City, Utah 84111

I. COMPETENCY GUIDELINES FOR COMMUNICATION DISORDERS SPECIALISTS (SPEECH PATHOLOGY)

A. Informational Competencies

The candidate must be able to verbalize:

1. Professional roles and responsibilities of school personnel.
2. Representative tasks of the classroom teacher, including
   a. the formation of educational goals
   b. organization and planning for the attainment of goals
   c. methods and materials used in classroom instruction
   d. methods of classroom management
   e. assessment procedures employed by the teacher
   f. methods and channels for disseminating information
   g. utilization of specialized personnel.
3. Conditions under which children and youth are referred to resource personnel.
4. Administration and budgetary procedures used in the schools.
5. Available resources, programs, personnel, and facilities within school districts, community, state, and nation which are: instructional, therapeutic, evaluative, consultative, medical, and/or research oriented.
6. Conditions and procedures for referrals to other professional persons or agencies.
7. Legal, ethical, and professional responsibilities as defined by the Utah State Law as well as national, state, and local professional organizations.
8. Appropriate use of case files and school records of children referred and those previously enrolled in speech and language programs.

9. The kinds of equipment and materials needed for maintenance and operation of speech and language programs.

10. Appropriate criteria for case selection.

11. Procedures for identification, diagnosis, treatment, case management, consultative services, program evaluation and improvement.

12. What comprises adequate environments for screening procedures?

13. A variety of methods of organizing speech and language screening programs.

14. Relevant criteria for evaluation of screening programs.

15. Adequate knowledge of causative and maintaining factors of communication disorders.

16. Adequate knowledge and understanding of a variety of standardized procedures.

17. How to administer and appropriately analyze test results with a basic core of diagnostic tests in all areas of speech and language. Core consists of:

    a. disorders of morphologic syntactic, and semantic aspects of language
    b. phonological disorders
    c. disorders of auditory perception.

18. Knowledge of how to write reports of diagnostic findings and recommendations.

19. How to utilize diagnostic results as a basis for determining therapeutic programs.

20. Knowledge of criteria for selecting caseload.

21. Scheduling cases in terms of type of disorder, time available, and location of schools.

22. Formulation of short- and long-term therapeutic goals to meet individual needs.

23. Selection of appropriate therapeutic strategies for remediating speech and/or language disorders in the schools.

24. The maintenance of an efficient record-keeping system regarding:

    a. the individual child's performance
    b. the permanent school records
    c. the district and/or state records.

25. Knowledge of important factors which contribute to the effectiveness of the speech, language, and hearing program, including philosophy, organizational structure, personnel, materials, budget, diagnostic, therapeutic, and evaluative strategies.

26. Description of responsibility of the CDS (speech pathologist) in serving the community in an advisory role.

27. Description of components of a speech and language "improvement" program.

B. Performance Competencies

The candidate must be able to:

1. Describe and interpret the speech and language program to school personnel and interested individuals and agencies.

2. Determine, evaluate, and arrange suitable working conditions for speech and language services.

3. Demonstrate dependability and initiative; show respect for the worth and uniqueness of all individuals, including persons of all creeds, backgrounds, ability, and value systems; show sensitivity to the needs of others, and especially to the needs of the child with communicative disorders.

4. Utilize available resources, programs, personnel, and facilities within the school district, community, state, and/or nation which are instructional, therapeutic, evaluative, consultative, medical, research oriented.

5. Make appropriate referrals.

6. Perform services in accordance with legal and professional standards and obligations.

7. Utilize appropriate "screening" procedures.

8. Identify individuals exhibiting communication disorders and recommend further evaluation on the basis of "screening" results.

9. Conduct conferences to interpret test results with supervisors, parents, teachers, and guidance personnel.

10. Use school and community resources to refer children for additional evaluation in related areas if necessary.

11. Administer, score, and interpret a variety of basic and specialized diagnostic tests in all areas.

12. Write reports of diagnostic findings and recommendations.

13. Organize diagnostic results as a basis for determining therapeutic programs.

14. Act in an advisory and consultative capacity for other professionals in interpreting test results.

15. Adequate participation in teacher and/or parent conferences.

16. Interpret information and recommendations from the multi-disciplines involved in the therapeutic process.

17. Report to parents, physicians, and relevant individuals and agencies concerning one's findings.

18. Interpret diagnostic information.

19. Develop and utilize criteria for case selection.

20. Schedule cases considering type of disorder, time available, and location of schools.

21. Formulate short- and long-term therapeutic goals to meet individual needs.

22. Select and design appropriate therapeutic strategies.

23. Initiate teacher and parent conferences.

24. Initiate and participate in staff conferencing as related to the development of therapeutic programs.

25. Report to parents, physicians, and relevant individuals and agencies.

26. Utilize an efficient record-keeping system regarding individual child's performance, permanent school records, district and state records.

27. Demonstrate ability to assess baselines of communicative-disordered children and utilize such data in planning treatment.

28. Demonstrate ability to write programs for articulation, voice, stuttering, hearing, and language disorders, and programming for resource and classroom teachers, aids, parents, etc.

29. Record and analyze responses related to improving communications skills:

    a. demonstrate ability to chart graphically ways in which what is being done in training has been effecting behavioral changes in communication
    b. utilize formal and informal techniques to assess program
    c. invest adequate time to analyze and interpret results
    d. identify reasons for success or failure in achieving goals
    e. use analysis of results to redefine goals and strategies.

30. Demonstrate understanding of the specific problems of the child and his disorder by:

    a. identifying the specific problems of the child in terms of abnormal development as related to speech, language, and hearing
    b. defining an ability level from which to develop a program of therapy
    c. establishing valid short- and long-range goals from which to develop a program of therapy
    d. helping the child gain insight into his own problems and potentials.

31. Implement therapy for each child with a speech, language, and/or hearing disorder by:

a. selecting, using, or designing appropriate strategies and learning activities
b. making maximum use of time, materials, and the physical environment
c. presenting clear, concise instructions
d. appealing to interests and attitudes of the child
e. using a variety of effective reinforcements and rewards
f. pacing therapy in terms of the child's progress
g. helping the child to develop responsibility for his therapy goals and the maintenance of newly acquired communication skills
h. taking advantage of unexpected learning opportunities.

32. Implement maintenance and transfer of newly learned communication skills by:

a. encouraging the child to apply and monitor newly learned communication skills
b. relating therapy experiences to daily life
c. involving the family members and school personnel in the therapy and maintenance program.

33. Redefine the therapy program by:

a. re-assessing the child's progress and potential
b. referring to appropriate agencies
c. terminating therapy and providing for periodic maintenance probing.

34. Demonstrate an ability to utilize a functional schedule for periodic program assessment by:

a. dividing total schedule into segments according to tasks, e.g., identification, scheduling, etc.
b. setting time limit for the completion of each segment
c. evaluating time projections for each program segment.

35. File initial status information on each child including such information as:

a. problem
b. severity
c. kind of treatment
d. frequency of session.

36. File final status information on each child including such information as:

    a. therapeutic progress
    b. disposition

*37. Submit annual report at close of school year which includes:

    a. speech, hearing, and language services offered and goals accomplished
    b. recommendations for the following year.

*38. Request written or verbal evaluations from other staff and the community agencies.

39. Utilize research strategies by:

    a. delineating factors to be examined, e.g., program segments, effectiveness of kindergarten speech improvement, etc.
    b. gathering pertinent therapy program information
    c. recording activities and data in a daily log
    d. recording pre-therapy information for each member of caseload
    e. recording baseline post-therapy information for each member of caseload
    f. reviewing pre- and post-therapy differences in terms of direction and magnitude of change, consistency with pre-established therapy program goals
    g. analyzing results and computing correction ratio
    h. drawing conclusions regarding the effectiveness of the program
    i. advising continuation of program strengths, recommending modifications, improvements, or elimination of program weaknesses.

40. Devise and/or utilize a method to compute the individual's progress.

41. Solicit written or verbal evaluations from other staff, lay persons, and community personnel.

42. Seek evaluation of the program by other qualified agencies or professional association committees.

43. Describe responsibility in serving the community in an advisory role.

44. Describe components of the speech-language improvement programs.

45. Assist associated professionals in understanding the scope of the speech and hearing program by:

    a. interpreting needs, abilities, etc., of communication handicapped children to associated professionals, particularly the classroom teacher
    b. interpreting program to school officials, teachers
    c. counseling teachers concerning speech and language opportunities within the classroom structure
    d. demonstrating the importance of speech and language stimulation at an early age
    e. assisting the classroom teacher in providing opportunities to reinforce improved communicative behavior
    f. participating in and organizing staffings
    g. providing information, research data, and/or resource materials.

46. Provide information for and assistance to parents by:

    a. interpreting the total program as related to a particular child
    b. suggesting other resources
    c. informing and counseling regarding particular problems
    d. interpreting diagnostic results and implications
    e. enlisting assistance in the home for the purpose of modifying behavior
    f. demonstrating the importance of speech and language stimulation at an early age.

*47. Develop and/or utilize curriculum guides, outlines, and resource materials.

48. Obtain prepared speech-language improvement materials.

*49. Conduct workshops.

*50. Develop audio or video tapes for classroom use.

*51. Initiate and implement speech-language improvement programs by:

    a. providing demonstration lessons for classroom teachers
    b. adapting programs to classroom needs

52. Work with various individuals, organizations, and agencies to improve services.

*53. Participate actively in local, state, and national professional organizations related to speech, language, and hearing.

*54. Interact with colleagues for personal and professional development.

55. Conduct formal and informal research projects to improve programs and practices.

* Competencies expected at the Professional Certificate level.

SBEU 0385.42
9/19/75

UTAH STATE BOARD OF EDUCATION
Division of Staff Development
250 East Fifth South
Salt Lake City, Utah 84111

II. COMPETENCY GUIDELINES FOR COMMUNICATION DISORDERS SPECIALISTS (AUDIOLOGY)

A. Informational competencies (written/oral). The candidate for either the Basic Professional or Professional certificate will be able to verbalize:

1. Educational and hearing profiles of the hard of hearing child as compared to the normal hearing child.

2. Roles played by members of the aural-rehabilitative team including the family, school administration, classroom teacher, medical personnel, audiologists, and other specialists of the school and community.

3. Educational alternatives for hearing impaired children.

4. The basic information related to language development, linguistic structure, semantics, phonology, information theory, and cybernetics.

5. Basic knowledge in acoustics, anatomy for speech and hearing, electronics, and learning theory.

6. The nature of communication as a dual process involving speech and hearing.

7. Understanding of audiological tests to assist in the assessment of presence or absence of normal hearing, the degree and type of hearing loss, and the site of ear pathology.

8. Understanding of communicative and educational evaluation to provide baseline measures of the hearing impaired child.

9. Understanding of instructional media, sensory aids, and systematic learning strategies for remediation and development of communications skills (auditory training, speech training, visual communication training, language and reading training, etc.).

10. Understanding of the administrative processes involving case scheduling, referrals, professional relations, and report writing.

11. Understanding of the psychology and education of exceptional children.

12. Understanding of the principles of:

    a. hearing aid evaluation
    b. differential diagnosis of auditory disorders
    c. hearing conservarion programs
    d. pediatric audiological evaluation
    e. medical backgrounds of communicative disorders
    f. psychoacoustic instrumentation applied to audiology and aural rehabilitation.

13. Understanding of the pathological processes of hearing.

14. Understanding of the scientific method, research design and methodology.

15. Understanding of educational strategies used in the teaching-learning process of normal children and hard of hearing children.

16. Understanding of administration and budgetary procedures used in schools.

17. Understanding of the appropriate use of case files and school records of children referred and those previously enrolled in speech, hearing and language programs.

18. Knowledge of the kinds of equipment and materials needed for maintenance and operation of programs for the hearing impaired.

B. Performance competencies. The candidate for either the Basic Professional or Professional certificate will be able to:

1. Obtain case history information related to client's problem.

2. Administer and interpret results from pure tone air and bone conductive tests.

3. Administer and interpret results from speech audiometric assessment.

4. Administer and interpret results from special auditory tests designed

to aid in localizing site of lesion in the conductive sensory or neural portions of the auditory system.

5. Administer and interpret results from tests designed to detect functional hearing loss.

6. Administer and interpret results from pediatric audiological tests.

7. Conduct hearing aid evaluations and interpret results for purposes of selecting appropriate wearable amplification systems for hard of hearing clients.

8. Fit hearing aid and counsel and train clients and parents in the use of, and adjustment to, hearing aid amplification.

9. Integrate, correlate, and interpret diagnostic information for purposes of planning and implementing remedial or aural rehabilitative programs for hard of hearing individuals.

10. Provide aural rehabilitative programs including speech reading, auditory training, and speech and language training for hard of hearing individuals.

11. Communicate diagnostic findings and remedial results to other professionals.

12. Demonstrate diagnostic therapy to determine appropriate educational strategieis for educational management of hearing impaired children.

13. Demonstrate skill in educational management of hard of hearing children; that is, demonstrate ability to move the child's performance in traditional academic areas toward normal age level performance.

14. Demonstrate dependability and initiative; show respect for the worth and uniqueness of all individuals including persons of all creeds, backgrounds, ability, and value systems; show sensitivity to the needs of others, and especially to the needs of the child with communicative disorders.

15. Initiate and participate adequately in parent-teacher conferences.

SBEU 0385.5

UTAH STATE BOARD OF EDUCATION
Division of Staff Development
250 East Fifth South
Salt Lake City, Utah 84111

ENDORSEMENT FOR TEACHING PUPILS WITH VISUAL IMPAIRMENTS

An endorsement to the Basic Professional or Professional Certificate for teaching pupils with visual impairments is available through the State Board of Education. This endorsement permits service at the elementary or secondary level (K-12). Unless otherwise noted, the endorsement is valid for five years and may be reissued for five years upon completion of nine quarter hours of credit in additional approved study.

1. Basic Professional Certificate

An endorsement to the Basic Professional Certificate for teaching pupils with visual impairments may be earned by following either of two tracks:

a. Track I

An applicant for an endorsement to the Basic Professional Certificate for teaching pupils with visual impairments through Track I must present evidence:

(1) That he has earned a bachelor's degree.

(2) That he has completed not fewer than fifty-four (54) quarter hours in general education. This will not be restricted to the general education offerings for school teachers but generally will include a considerable amount of such. Subject-matter teaching majors or minors will not be required to teach at the elementary or secondary levels.

(3) That he has completed a professional education core consisting of fifteen to eighteen (15-18) quarter hours which shall include:

  (a) Physical and psychological foundations

  (b) Social and educational foundations

  (c) Elementary methods

  (d) Directed observations of elementary and secondary classroom procedures

(4) That he has completed twenty-four to twenty-seven (24-27) quarter hours of specialized preparation for teaching pupils with visual impairments including an introductory course in special education or in the psychology of exceptional children.

(5) That he has been recommended by an institution whose program of preparation has been approved by the State Board of Education.

b. Track II

An applicant for an endorsement to the Basic Professional Certificate for teaching pupils with visual impairments through Track II must present evidence:

(1) That he has earned a bachelor's degree.

(2) That he has an elementary or a secondary teacher's certificate.

(3) That he has completed not fewer than twenty-four (24) quarter hours of specialized preparation for teaching pupils with visual impairments.

(4) That he has been recommended by an institution whose program of preparation has been approved by the State Board of Education.

2. Professional Certificate

An applicant for an endorsement to the Professional Certificate for teaching pupils with visual impairments must present evidence:

a. That he holds or is eligible to hold the Basic Professional Certificate with an endorsement for teaching pupils with visual impairments.

b. That he has earned a master's degree or has completed an approved program consisting of not fewer than fifty-five (55) quarter hours earned after meeting the requirements for a bachelor's degree.

c. That he has completed fifteen (15) quarter hours of approved specialized preparation in addition to that required to obtain the endorsement to the Basic Professional Certificate for teaching pupils with visual impairments.

d. That he has completed not fewer than three years of teaching experience verified as being successful.

e. That he has been recommended by an institution whose program of preparation has been approved by the State Board of Education.

SBEU 0385.6
11/13/75

UTAH STATE BOARD OF EDUCATION
Division of Staff Development
250 East Fifth South
Salt Lake City, Utah 84111

ENDORSEMENT FOR TEACHING THE DEAF

An endorsement to the Basic Professional or Professional Certificate is issued by the State Board of Education for teaching the deaf. This endorsement permits service at the elementary or secondary level (K-12). Unless otherwise noted, the endorsement is valid for five years and may be reissued for five years upon completion of nine quarter hours of credit in additional approved study.

A. Basic Professional Certificate

An endorsement to the Basic Professional Certificate for teaching the deaf may be issued to an applicant who has:

1. Earned a bachelor's degree

2. Completed the requirements for an elementary or secondary teaching endorsement, including specialization in the subject area which the applicant intends to teach.

   or

   Completed a professional education core consisting of approximately fifteen to eighteen (15-18) quarter hours which shall include:

   a. Knowledge, understanding, and skills in regard to child growth and development, learning theory and general psychology.

   b. Knowledge of the development, structure, and function of social institutions including the interaction and inter-relationships of these groups in our society.

   c. Knowledge and understanding of current instructional procedures in general education.

   d. Field experiences with elementary and secondary school students.

3. Completed an approved program for teaching the deaf which shall have provided for the acquisition of those competencies necessary for assignment at job entry level as reflected in Competency Guidelines for Teachers of the Deaf which are based on Standards for the Certification of Teachers of the

Hearing Impaired as approved and published by the Council on Education of the Deaf (CED), January, 1974.

4. Been recommended by an institution whose program of preparation has been approved by the State Board of Education.

B. Professional Certificate

An applicant for an endorsement to the Professional Certificate for teaching the deaf must present evidence that he:

1. Holds or is eligible to hold the Basic Professional Certificate with an endorsement for teaching the deaf.

2. Has earned a master's degree or has completed an approved program consisting of not less than fifty-five (55) quarter hours earned after meeting the requirements for a bachelor's degree.

3. Has completed not less than three years of successful teaching experience and has demonstrated those competencies necessary for effective performance as reflected in Competency Guidelines for Teachers of the Deaf which are based on Standards for the Certification of Teachers of the Hearing Impaired as approved and published by the Council on Education of the Deaf (CED), January, 1974.

BEU 0385.61
11/13/75

UTAH STATE BOARD OF EDUCATION
Division of Staff Development
250 East Fifth South
Salt Lake City, Utah 84111

COMPETENCY GUIDELINES FOR TEACHERS OF THE DEAF

A. Personal qualities and interactive skills. The candidate will satisfactorily demonstrate that he:

1. Has the ability to manage his own behavior in terms of self-concept, relationships with others in recognizing the unique worth of every person.

2. Is understanding, perceptive, warm and compassionate; necessary personal characteristics to be an effective teacher of deaf children.

3. Is dependable and has initiative.

4. Respects the worth and uniqueness of all individuals including persons of various creeds, backgrounds and abilities, and those with different value systems.

5. Shows sensitivity to the needs of others, especially to the needs of handicapped children.

B. Professional knowledge and skills relating to educational foundations in education of the deaf. The candidate will satisfactorily demonstrate:

1. Knowledge of historical and current developments in education of the hearing impaired in the United States and other countries and the influence of historical developments upon the current state of the field.

2. Knowledge of national and local issues, trends and events which influence the education of hearing impaired children.

3. Knowledge of the purposes and services of national, state and local organizations and government agencies concerned with the education and welfare of the hearing impaired.

4. Knowledge of national, regional, state, and local education programs for the hearing impaired.

5. Knowledge of the content and nature, issues and trends of fields and professions related to education of the hearing impaired, such as regular education, career education, special education, audiology, rehabilitation and educational psychology, and the contribution of those fields to education of the hearing impaired.

6. Knowledge of the implications of hearing impairment for the psychological, sociological, vocational, and educational development of hearing impaired individuals.

7. Ability to utilize educational, sociological, audiological, and psychological information in educational planning and counseling for both hearing impaired children and their parents.

8. Ability to locate and utilize resources, reference materials, and professional literature in the education of the hearing impaired and in related fields.

C. Professional knowledge and skills pertaining to language and communication. The candidate will satisfactorily demonstrate:

1. Knowledge of a structure of the English language (linguistics), the acquisition and use of language (psycholinguistics), and the implications of these areas for education of hearing impaired infants, children and young adults;

2. Knowledge of research and other literature on language of the hearing impaired;

3. Knowledge of the acquisition and development of language skills in hearing and in hearing impaired infants and children;

4. Knowledge of disorders of language development;

5. Knowledge of commonly used methods and procedures of language instruction for hearing impaired children;

6. Ability to utilize appropriate instructional procedures to effect language learning in hearing impaired children and the ability to diagnose, correct, and improve language development in these children.

7. Knowledge of the communication process and the effects of hearing loss on communication;

8. Knowledge of research and other literature on communication of the hearing impaired;

9. Understanding of various modes of communication and combination of modes (listed below) used in teaching impaired individuals and a knowledge of methods, procedures, and materials used in teaching these modes of communication including the use of techniques and materials appropriate to individuals or groups in the development, diagnosis, correction, and improvement of communication ability.

Reading
Written communication
Speechreading
Auditory training
Speech
Fingerspelling
The language of signs
Other modes of communication

D. Professional knowledge and skills relating to curriculum and instruction. The candidate will satisfactorily demonstrate:

1. Understanding of the purpose and the nature of curriculum and an understanding of learning and instructional processes.

2. Knowledge of curriculum and instructional procedures common to education of the hearing impaired and regular education, adaptations of the regular curriculum and instruction for the hearing impaired, and aspects of curriculum and instruction unique to education of the hearing impaired.

2. Ability to plan, implement and evaluate learning experiences for individuals and groups including the ability to:

Identify learner entry level;

Conceptualize and formulate objectives in behavioral terms;

Design methods of evaluation based upon measurable objectives and utilize data collection procedures;

Select, design, produce and utilize media, materials, and resources appropriate to learner behavior and lesson objective;

Implement appropriate instructional procedures;

Evaluate learner responses and revise instruction appropriately.

E. Professional knowledge and skills relating to the practicum through observation participation, clinical practice and student teaching. The candidate will satisfactorily demonstrate:

1. Knowledge of facilities, services, and programs available for the education and counseling of hearing impaired children and adults.
2. Ability to interact effectively for instructional purposes in a learning situation with hearing impaired individuals or groups at one or more teaching levels in residential, day, and integrated classes.
3. Ability to plan and organize curriculum content in an area of specialization for effective learning by both individuals and groups of hearing impaired children and youth.
4. Ability to initiate and adequately participate in parent-teacher conference.
5. Knowledge of administration and budgetary procedures used in the schools.
6. Appropriate use of case files and school records of children referred and those currently enrolled in programs for the deaf or hearing impaired.
7. Knowledge of the kinds of equipment and materials needed for maintenance and operation of programs for the deaf and/or hearing impaired.

F. Professional knowledge and skills relating to the area of speech science and audiology and their relevance to education of the hearing impaired. The candidate will satisfactorily demonstrate:

1. Knowledge, skills, and understanding of the human speech, auditory, and visual mechanisms and related brain and central nervous system structures: The anatomy of these mechanisms, their inter-relatedness, common pathologies affecting these mechanisms, and the functioning of these mechanisms in communication and other types of behavior in both intact and defective organisms.
2. Knowledge, skills and understanding relative to production, transmission, and reception of speech sounds and other sounds; physical and psychophysical characteristics of sound; and methods of displaying and graphically representing the characteristics.
3. Knowledge, skills, and understanding relative to the general and specific effects of hearing impairment upon the production of speech and the

reception of speech and other sounds.

4. Knowledge, skills, and understanding relative to the various procedures for testing hearing and the interpretation of hearing test results.

5. Knowledge, skills, and understanding relative to the functioning and characteristics of various types of amplifying systems and their application to learning and the instructional process.

SBEU 0388.2
10-17-75

UTAH STATE BOARD OF EDUCATION
Division of Curriculum and Instruction
250 East Fifth South
Salt Lake City, Utah 84111

SCHOOL PSYCHOLOGIST

1. Basic Professional Certificate

An applicant for the School Psychologist Endorsement to the Basic Professional Certificate must:

a. Have an approved orientation to the public school system acquired through either:

(1) Meeting the qualifications for a valid teaching certificate issued by the State of Utah, or

(2) Completing an approved internship of at least two quarters or one semester in a school setting or in an agency which includes a substantial amount of experience with children and contact with the public schools.

b. Hold a master's degree from an accredited institution.

c. Have acquired and/or demonstrated competence in each of the areas identified in the *Competency Guidelines for School Psychologists* (Utah State Board of Education) for assignment at job entry level.

d. Have the recommendation of an institution approved for the preparation of school psychologists.

2. Professional Certificate

A candidate for endorsement as a school psychologist on the Professional Certificate must:

a. Hold or be eligible to hold endorsement as school psychologist at the Basic Professional level.

b. Have completed three years of successful experience as a psychologist as verified by the employing school district.

c. Have acquired and/or demonstrated competence in each of the areas identified in the official *Guidelines* for assignment at the fully qualified level.

d. Receive the recommendation of the employing school district and the preparing institution where appropriate.

SBEU 0388.3
10-17-75

UTAH STATE BOARD OF EDUCATION
Division of Curriculum and Instruction
250 East Fifth South
Salt Lake City, Utah 84111

COMPETENCY GUIDELINES FOR SCHOOL PSYCHOLOGISTS

I. Personal Qualities. The recommending institution must certify that it has gathered evidence which shows that the candidate:

A. Respects the worth and uniqueness of all individuals, including persons of all creeds, backgrounds, abilities and value systems.

B. Believes sincerely in possibilities for growth and improvement, both in his/her own development and the development of others.

C. Possesses feelings of adequacy and worth as a person and demonstrates maturity and stability in attitude and behavior.

D. Possesses the ability to respect and hold in confidence, privileged information received in a professional setting or capacity.

II. Professional Understandings. The recommending institution must certify that the candidate for endorsement as school psychologist has demonstrated a satisfactory level of understanding of the following basic concepts:

A. The challenges and procedures related to providing education for pupils from a wide range of ethnic, economic, and social backgrounds.

B. The teaching-learning process, including the role of the teachers, the general needs related to learning disabilities, remedial procedures, and the pros and cons of compensatory education.

C. An orientation to the organizations of psychological services in the public schools, and relation of these services to the school and the community.

D. The foundations and dynamics of human personality, including normal and abnormal.

E. The techniques of administering, scoring, and interpreting individual diagnostic tests including:

1. Intelligence tests.

2. Educational achievement tests.

3. Special tests used in the assessment of children with physical, sensory, learning, and mental handicaps.

4. Developmental scales.

5. Projective approaches to the study of personality.

F. The techniques of interviewing and counseling (individual and group).

G. Group testing procedures and techniques.

H. Basic statistical concepts and research procedures.

III. Professional Competencies. The recommending institution must certify that the candidate for endorsement as school psychologist has demonstrated a satisfactory level of competence in each of the following professional performance areas:

A. Psychological services in the public schools. The candidate has demonstrated ability to:

1. Relate to and function with the roles of the various specialists on the school staff in the area of child study, guidance, pupil services and curriculum development.

2. Interpret and share with other school professionals the psychological knowledge acquired through his/her study of learning processes.

3. Cooperate and work within the resources and limitations existing within the State and local organizational structures.

B. Diagnostic study of the individual student. The candidate has demonstrated ability to:

1. Perform diagnostic testing evaluations of exceptional children of all ages. The specific skills must include administering, scoring and interpreting:

a. Intelligence tests (group and individual).

b. Educational achievement tests.

c. Special tests used in the assessment of children with physical, sensory, learning, and mental handicaps.

d. Developmental scales.

e. Projective approaches to the study of personality.

2. Employ appropriate (counseling-oriented) interviewing techniques and strategies to obtain critical and relevant diagnostic data from school personnel, family and community resources.

3. Conduct in-depth clinical assessment interviews with exceptional children for the purpose of augmenting and/or reducing diagnostic testing procedures.

4. Analyze the student's learning and behavioral patterns in his/her school environment through skilled classroom observations.

5. Integrate all diagnostic findings into an understandable written report.

C. Classroom remediation strategies. The candidate has demonstrated ability to:

1. Draw from diagnostic data prescriptive suggestions for enhancing the educational development of referral students.

2. Provide remedial strategies in cooperation with the teacher and other pupil services specialists by:

    a. Interpreting learning patterns (strengths/weaknesses).

    b. Recommending teaching strategies for students with learning disabilities.

    c. Suggesting remedial material for specific learning problems.

    d. Participating in curriculum planning to meet individual needs.

    e. Suggesting classroom environment changes to facilitate individual learning.

    f. Applying learning systems to enhance individual motivation.

3. Facilitate appropriate expectations concerning students' developmental progress.

4. Communicate in understandable fashion, through verbal and/or written reports, remedial suggestions.

5. Assist and follow up in the implementation of remedial strategies.

D. Therapeutic treatment strategies. The candidate has demonstrated ability to:

1. Implement individual and group counseling techniques by:

    a. Establishing relationships to promote feelings of trust and confidence and provide a basis for full communication and positive action.

    b. Facilitating communication for accurate listening to, verbalizing, and clarifying verbal and nonverbal communication.

    c. Helping the client to identify specific needs and objectives and devise strategies for their resolution or attainment.

    d. Encouraging and reinforcing positive and mature actions.

    e. Terminating relationships in such a manner as to foster growth toward increasingly positive and responsible behavior.

2. Implement treatment programs planned jointly with teachers and parents by:

    a. Facilitating awareness of individual student needs.

    b. Modifying the home and/or school environment.

    c. Counseling parents and teachers for effective educational and personal growth experiences for the student.

3. Arrange appropriate referral and follow-up of cases with child guidance clinics and other community agencies. Participate in inter-agency conferences and in other liaison functions between the school and the community agency.

E. Consultation and in-service techniques. The candidate must demonstrate ability to:

1. Interpret test findings orally and/or in writing to children, parents, teachers, principals, and other members of the school and district staff, communicating at the appropriate level.

2. Function as a member of a team of professional specialists representing a variety of skills, training, philosophy and modes of operation.

3. Apply knowledge of group dynamics and group processes to facilitate problem solving and inter-staff communication.

4. Participate on various committees within the school in such areas as pupil services, special education, evaluation, pupil mental health, teaching methods and classroom management, curriculum planning, and prescriptive teaching.

5. Provide in-service to students, parents and school personnel in areas related to psychological services.

6. Assist in the formulation of developmental and preventative programs for the good of all students.

F. Evaluation and research. The candidate has demonstrated ability to:

1. Organize and administer group evaluation programs in the district by:

    a. Administering, scoring, and interpreting achievement, aptitude, interest, intelligence, and other group tests.

    b. Coordinating and directing school personnel in the proper selection, administration, scoring, interpretation and use of standardized tests or developing other assessment devices to meet local needs.

    c. Evaluating and reporting group test results and preparing test calendars and bulletins.

    d. Implementing with the administrators in various curriculum areas, programs related to quality education and curriculum development by using the test data obtained through group evaluation and assessment.

2. Participate in research activities of the schools by:

    a. Involving school personnel in the evaluation of new programs or pilot programs.

    b. Identifying significant student needs and research problems in schools and developing designs for problem solving.

    c. Applying appropriate statistical procedures for the evaluation of educational research.

SBEU 0388.4
10/17/75

UTAH STATE OFFICE OF EDUCATION
Division of Curriculum and Instruction
TEACHER CERTIFICATION
250 East Fifth South
Salt Lake City, UT 84111

SCHOOL SOCIAL WORKER

1. Basic Professional Certificate

   An applicant for the School Social Worker Endorsement to the Basic Professional Certificate must:

   a. Have an approved orientation to the public school system acquired through either:

      (1) Meeting the qualifications for a valid teaching certificate issued by the State of Utah, or

      (2) Completing an approved internship of at least two quarters or one semester in a school setting or in an agency which includes a substantial amount of experience with children and contact with public schools.

   b. Hold a Master of Social Work degree from an accredited institution.

   c. Have acquired and/or demonstrated a satisfactory level of competence in all areas identified in the Competency Guidelines for School Social Workers (Utah State Board of Education) for assignment at job entry level.

   d. Have the recommendation of an institution approved for the preparation of social workers.

   e. Be licensed as a social worker by the State of Utah.

2. Professional Certificate

   A candidate for endorsement as a school social worker on the Professional Certificate must:

   a. Hold or be eligible to hold an endorsement as social worker at the Basic Professional level.

   b. Have completed not fewer than three years of successful school social work experience as verified by the employing school district.

c. Have demonstrated competence in each of the areas identified in the official Guidelines for assignment at the fully qualified level.

d. Receive the recommendation of the employing school district and the preparing institution where appropriate.

SBEU 0388.5
10/17/75

UTAH STATE OFFICE OF EDUCATION
Division of Curriculum and Instruction
TEACHER CERTIFICATION
250 East Fifth South
Salt Lake City, UT 84111

COMPETENCY GUIDELINES FOR SCHOOL SOCIAL WORKERS

I. Personal Qualities. The recommending institution must certify that it has gathered evidence to show that the candidate:

A. Respects the worth and unique qualities of all individuals, including persons of all creeds, backgrounds, abilities, and value systems.

B. Believes sincerely in possibilities for growth and improvement, both in his own development and the development of others.

C. Possesses feelings of adequacy and worth as a person and demonstrates maturity and character in attitude and behavior.

D. Subscribes to the concept of continuing personal and professional growth through the utilization of available techniques and resources, e.g., the establishment of personal objectives, use of supervision, continuing education, etc.

E. Possesses the ability to respect and hold in confidence privileged information received in a professional setting or capacity.

II. Professional Understandings. The recommending institution must certify that the candidate for endorsement as school social worker has demonstrated a satisfactory level of understanding of the following basic concepts:

A. Challenges and procedures related to providing education for pupils from a wide range of ethnic, economic, and social backgrounds.

*B. The teaching-learning process, including the role of the teacher, the general needs related to learning disabilities, remedial procedures, and the pros and cons of compensatory education.

C. The foundations and dynamics of human personality, including basic and atypical adjustment patterns.

---

* Indicates understandings which may be acquired after employment.

D. Measurement and evaluation, including standardized testing, basic statistical concepts, and research procedures.

E. Social work theory and methodology.

*F. Vocational development theory and the dimensions of career information and counseling.

G. Understand the problems created by disabilities which may interfere with the normal progress of the individual through the school program.

H. Coordination of pupil personnel services, including the full range of community resources and opportunities for assistance available to students with special needs and problems.

I. Organizational dynamics and the processes of administration.

J. Positive and negative social forces which affect the social functioning of individuals, groups, families, and educational institutions.

K. The function of the school as a major social institution in contributing to the socialization of children.

L. The school as a microcosm of the larger society.

III. Professional Competence. The recommending institution must certify that the candidate for endorsement as school social worker has demonstrated a satisfactory level of competence in each of the following areas of professional performance, bearing in mind that the social worker serves students from all socioeconomic levels, creeds, races, and ranges of individual differences in intellectual and emotional development.

The recommending institution must also certify that the applicant can make professional judgments which are rooted in the knowledge base, the values and the on-going research which make up the professional of social work. Furthermore, the applicant must be able to evaluate the outcomes of his own work.

A. Work with Individuals and Families. The candidate has demonstrated ability to:

1. Formulate a psychosocial assessment and intervention plan based on knowledge of human development, personality problems, social cultural and economic factors, family interaction, and the student's coping pattern.

2. Involve the student, the family, the teacher, and the community in the formulation of goals.

3. Enable students and families to utilize help.

4. Assist in distinguishing between individual institutional and social problems and the appropriate level(s) for intervention.

B. Work with Groups. The candidate must be able to:

1. Understand group dynamics and to use this knowledge to enhance the social functioning of group members.

2. Understand the dynamics of the family as a primary group and apply skills to enhance family functioning.

3. Demonstrate skill in the implementation of group processes such as problem identification, recruitment, group formation, individual and group goal setting, programming, the facilitation of group interaction, termination, and evaluation.

4. Conduct classes to help groups of students understand mental health concepts, social interaction, and problem solving as an essential component of social functioning.

5. Utilize the strengths and resources inherent within individuals, groups, and community systems in a constructive fashion.

C. Work with Communities. The candidate must be able to:

1. Exhibit knowledge of the community and skill in relating to community groups.

*2. Exhibit knowledge and skill in social planning process.

3. Identify community resources and make these resources available to the client.

4. Mobilize or create** community resources for the benefit of students and their families in support of the educational process.

** Indicates competencies which are not necessarily demonstrated at the Basic Professional Certificate level.

5. Mobilize or create** resources within the school system to support and further the common goals of education.

**6. Demonstrate skill in the implementation of work with the communities such as defining communities of need and interest, organizing committees, identify and evaluate community resources, contribute to the resolution of conflict, participate in social planning efforts, the organization and coordination of direct services, liaison functions with other systems, the development of coalitions and otherwise enable collective action.

D. Measurement and Assessment. The candidate has demonstrated ability to:

1. Contribute to the assessment of dysfunctional forces that impinge upon students or the educational institution.

2. Communicate the value and limitation of assessment data to teachers and other members of the school staff, thus encouraging full and valid use of data.

3. Assess the outcomes of his or her work.

E. Staff and Administrative Relationships and Responsibilities. The candidate must be able to:

1. Work effectively as a team member with other school personnel; i.e., demonstrate the capacity to work interdependently as well as independently.

2. Exhibit knowledge concerning the decision makers, the decision making process, and the dynamics of program implementation.

3. Communicate effectively with people who are in decision making roles on all levels as well as those to whom educational services are delivered.

4. Work effectively with committees.

5. Cooperate with teachers and other staff members: accepting student referrals, discussing corrective procedures, discussing the nature and treatment of individual and group learning problems, and interpreting formally and informally the role of the social worker.

6. Consult with parents: discussing with them the concerns about their children and working together in the interests of the child.

7. Plan and conduct the program of pupil services in the school: understanding the full range of services and their relationship to the total school program, recommending needs as to staff, facilities, and materials, and exerting leadership to insure effective functioning of the program.

8. Relate to services and resources outside the school: being aware of the range of resources available to students in the school district and the community, making proper referrals to these resources, and following through with personal contacts and conferences as needed.

9. Exhibit public relations, communications, and public speaking skills.

10. Provide feedback to the administration about the functioning of the total program from the perspective of social work.

F. Research Activities. The candidate must be able to:

1. Interpret for himself and others relevant research reports pertaining to pupil services and to the educational program.

2. Recognize the need for and contribute to the conceptualization of research projects related to his assignment.

3. To identify and document the existence of unmet needs.

APPENDIX I

INTER-AGENCY
MEMORANDUM OF UNDERSTANDING

Page BBF-1

Descriptor Term: Relationships with Districts and Outside Agencies or Organizations

Other Descriptor Terms: Outside Agencies/Organizations

Descriptor Code: B BBF

Source: Memo between Social Services and SBE, 11/3/72, Revised: 11/1/77
Revised: 4/1/80

MEMORANDUM OF UNDERSTANDING

The undersigned mutually acknowledge that for and on behalf of the Department of Social Services, the Utah State Board of Education, and the Department of Health, which they represent, separately, as designated by the signatures below, the following working relationship among these offices of state government have been agreed upon.

1. Wherever and whenever jurisdiction of programs is in question, the Department of Social Services shall have prime responsibility for maintenance care, family support, and mental health services; the State Board of Education shall have prime responsibility for education and training; and the Department of Health shall have prime responsibility for health.

2. In the case of defined institutions and programs, the designated agency shall have prime responsibility and will initiate action to involve the others in coordinated activity. Institutions and programs within the Department of Social Services and the Department of Health which have under their auspices educational components shall coordinate such components with the State Board of Education.

3. The Board of Education, the Department of Social Services, and the Department of Health shall develop coordinated procedures to enable programs to work together to better serve people and to eliminate conflicting policies and guidelines being developed for similar programs.

4. For all activities and programs in which more than one agency has mutual interest and where one agency has been designated as having prime responsibility, there must be reduced to writing at the service delivery level, (local education authorities, field services district offices, and local health authorities) the respective roles and relationships of the agencies, including what actions or activities each will undertake. Such formal agreements, when mutually acceptable, will be signed by the head of each local agency or his/her designee and a copy filed with each state agency. Although the designated lead agency shall assume responsibility for completing this action, any of the agencies involved may initiate it. Each agency shall be responsible for instructing its respective staff members concerning the agreements.

Nothing contained in this memorandum of understanding shall interfere with each agency carrying out its traditional and separate responsibility independently of the others; however, in all matters of mutual interest, cooperation and coordination is encouraged.

New ☐ Revised ☒ Substitute ☐

/s/ Anthony W. Mitchell
Executive Director
Department of Social Services

/s/ Walter D. Talbot
Executive Officer
State Board of Education

/s/ James O. Mason
Executive Director
Department of Health

REVISED CHARGE

April 1, 1980

Because of pertinent and pressing issues and concerns that involve the State Board of Education, the Department of Social Services, and the Department of Health, the State Board of Education is appointing Dr. Lerue Winget to act as the Board of Education liaison with the Department of Social Services and the Department of Health; the Department of Social Services is appointing Dr. Judy Ann Buffmire to act as the Department of Social Services liaison with the State Board of Education and the Department of Health; and the Department of Health is appointing Gayle Reiber, R.N., M.P.H., to act as the Department of Health liaison with the State Board of Education and the Department of Social Services.

The liaison efforts will focus on ways to facilitate coordination where there are overlapping responsibilities, especially those specified by State and Federal funds, e.g., Title XIX, Title XX, P.L.94-142, etc. In an effort to enhance this facilitation effort, the current joint Education/Social Services Coordinating Committee will be dissolved and a new committee formed, co-chaired by Dr. Winget, Dr. Buffmire, and Ms. Reiber. This committee will meet quarterly and will provide support to the liaison efforts as specified needs are identified by the chair. Ad hoc task forces will be utilized as needed and will be confirmed by the chair. Membership will consist of policy level leadership persons representing the various areas where there are overlapping responsibilities.

The primary thrust of the joint Education/Social Services Coordinating Committee during the last several years has been to facilitate the development of local social services/education programs and cooperative procedures This effort will continue to be priority.

All policy recommendations will be channeled through the Executive Director of the Department of Social Services, Executive Director of the Department of Health, and State Superintendent of Public Instruction for decision and implementation.

This charge will take effect April 15, 1980.

Anthony W. Mitchell
Executive Director
Department of Social Services

Walter D. Talbot
Executive Officer
State Board of Education

James O. Mason
Executive Director
Department of Health

190